RTPI response to DEFRA consultation on the 'England Tree Strategy'

September 2020

This is the Royal Town Planning Institute's (RTPI's) response to the Department for Environment, Food and Rural Affairs consultation on the England Tree Strategy (ETS). Forestry policy in the UK is a devolved matter and the UK Government only has jurisdiction over England's trees. The Welsh, Scottish and Northern Ireland governments are developing their own separate strategies.

This consultation will inform publication of an ETS later in 2020. The Strategy will be designed to outline policy priorities with the aim of delivering the government's tree planting programme. It will focus on expanding, protecting and improving woodlands, and how trees and woodlands can connect people to nature, support the economy, combat climate change and recover biodiversity.

The RTPI's response outlines that the Strategy will need a clear foundation and direction and to be supported by funding and tailored training. The Strategy should be underpinned by a holistic approach to all existing and future trees and woodlands, it should additionally recognise the benefits of hedges as valuable shrubs. There are also clear practical advantages to considering trees early in the planning process and the strategy should be clear on this. The potential increase in the costs for developers associated with tree planting and maintenance is important to understand, with matters such as root damage, subsidence and leaf fall needing appropriate consideration. There is a need for guidance and specialist support to deliver tree lined streets with the ethos of '*right tree in the right place*'. The ETS would also be most effective if it outlined the need for intelligent tree planting targets that move beyond simply specifying quantity to outline the quality and type of trees in addition to understanding the local tree resource.

The strategy is particularly relevant to the planning profession in the light of the Government's Planning White Paper (PWP) that reaffirmed a commitment to make all new streets tree-lined, by setting clear expectations through the changes to the National Planning Policy Framework (NPPF) as well as a commitment to combat climate change and improve biodiversity through the planning system. The White Paper confirms that changes to the NPPF will be consulted on in the autumn, with those changes informed by the outcome of this consultation

About the RTPI

The RTPI champions the power of planning in creating prosperous places and vibrant communities. As learned society, we use our expertise and research to bring evidence and thought leadership to shape planning policies and thinking. As a professional body, we have over 25,000 members across all sectors, and are responsible for setting formal standards for planning practice and education.

Our response is organised in the following way:

1) General comments: The RTPI's response predominantly takes the form of general comments because the multiple choice questions do not allow the necessary dialogue with consultees.

2) Q&A

General comments

1.   We welcome the Government's intention to develop an England Tree Strategy (ETS) and this consultation provides a base from which to start. However, the strategy will need to address the following wider set of measures in order to deliver on the Government's aim to ensure that "*trees are established and managed for the many benefits they provide for people, the economy, the climate and nature itself*".

2.   **Draft version of the England Tree Strategy:** We would welcome the opportunity to comment on an advance copy of the Strategy. It is not clear from this consultation document what the strategy will contain and an opportunity to review the contents would be welcomed.

3.   **Clear foundation and direction**: The ETS would benefit from outlining the evidence base alongside the key challenges that the strategy aims to address. This should include clear objectives identifying how these challenges are to be addressed with appropriate monitoring mechanisms introduced to assess progress against.

4.   **Funding and training:** We agree with the statement *"planting and longevity of street trees requires appropriate skills and resources, from early planning, through effective planting and maintenance.*" Successful delivery of the ETS will require both funding and education.

- Planting street trees requires significant resourcing. Austerity has reduced the number of local authority tree officers with advice now largely provided by planning officers and landscape officers. Consequently, many Local Planning Authorities (LPA's) lack a dedicated full time tree officer with professional qualifications and expertise. To avoid mismanagement and inappropriate decisions being taken dedicated funding for these posts need to be restored. There will be a need to support planners and developers so that trees can survive and thrive especially in a changing climate.

- LPAs currently have limited specialist staff. The Woodland Trust surveyed over 500 planners across England in 2016[1]. The results showed that whilst all LPA planners had access to ecological support, only 57% had access to an in-house ecologist. It is not sufficient to simply have access to ecological and arboricultural support, it must be easily accessible and offered in a spirit of cooperation across professions. The same survey also showed that whilst 96% of planners were aware of the term ancient woodland only 33% were aware of the ancient woodland inventory[2]. The RTPI has produced training on ancient woodland and trees[3] This highlights the need for specialist advice. It also shows that there are tools available to help planners develop better outcomes for woods and trees and the ETS should take the opportunity to highlight these resources and promote access to them. The RTPI is looking into how both planning and environmental expertise could be provided across wider areas than

---

[1] Woodland Trust (2016) Ancient Woodland and Standing Advice Survey to Planners
[2] Ibid.
[3] RTPI Learn Module, Planning to protect ancient woodlands and trees

single local authorities to ensure the very best advice and also provide valuable career paths in the public sector.

5. **A holistic approach to all trees and woodlands:** The strategy would benefit and increase the prospects of meeting Government objectives by adequately covering all types of trees. We are concerned that the consultation document does not suggest there will be a specific focus on the approach for managing community and urban forests. With the majority of the population living in urban areas, it is important that the ETS addresses this matter in full.

6. In considering locations for new planting opportunities, enhancing connectivity between existing woodlands should be a priority rather than delivering a new block of isolated woodland in the landscape. The importance of promoting green corridors to allow species to migrate should be emphasised. New planting should not be at the expense of creating or recreating other important habitats. There will also be areas where extensive tree planting is not necessarily the best approach in terms of delivering positive improvements in biodiversity e.g. on chalk downlands.

7. **The role of hedges** should be given greater prominence in the strategy with a growing body of evidence that they can support air quality improvements. The importance of hedgerows does not get much recognition in the consultation document and this should be addressed in the strategy. In urban areas hedgerows are more effective at sequestration of toxins at exhaust pipe level and reducing direct exposure to harmful pollutants. In addition, the role that orchards and wood pasture play in the landscape needs adequate emphasis in the Strategy.

8. **Street Trees:** The consultation outlines that all new streets should be lined with trees and that "*Street trees are a key component of the urban forest and critical in delivering its services*". We agree with the statement in the ETS consultation document regarding the "*need to see trees as a key feature in towns and cities with equal status to green and other built infrastructure*". It is important that street trees are considered early in the planning process. Both this consultation document and the PWP call for tree lined streets. We welcome this however, guidance must be supplied on what constitutes a tree lined street. These trees must be planted following the ethos of '*right tree in the right place*' and ensure accessibility on pavements is maintained. Species must be chosen that not only reflect local character but that will be resilient to a future changing climate and provide maximum ecosystem services to residents. It is critical that specialist support is available to planners to make these judgements.

9. The consultation asks for views on the barriers to establishing and maintaining street trees, the following is a list of the views raised by RTPI members:
   a) Through discussions with the RTPI's National Association of Planning Enforcement (NAPE) network, we have confirmed a lack of consistency across local authorities in respect to the enforcement/protection of trees.
   b) Not all Local Authorities have an arborist at their disposal, and no specific in-house training is necessarily given to enforcement officers with respect to trees.
   c) Trees are not adequately prioritised in building regulations (and other construction standards) which emphasise a precautionary approach to avoid risk to buildings.
   d) Funding and priorities for enforcement is critical to ensuring trees are maintained.
   e) The PWP proposes a more data based approach and design codes – clear publicly accessible mapping of services and street trees will allow the public to hold both LPAs and developers to account on where street trees should be.

10. **Highways departments:** The role that highways departments have in supporting delivery of the Strategy will require appropriate consideration and specifically the custom and practice that has been produced by the Highways Act 1980. The announcement that Manual for Streets will be

revised is welcomed in principle and we look forward to seeing the updated guidance and how that supports delivery of the strategy.

11.   The experiences of lockdown and the ongoing Covid-19 pandemic has reemphasised the multiple benefits provided by access to green spaces. The ETS should be clear in setting out the role of trees in supporting public health and wellbeing, biodiversity, amenity, clean air, carbon capture and a green economic recovery, mitigating the urban heat island effect, providing habitats for insects, animals and birds, and improving our sense of wellbeing. Our Plan The World We Need report highlighted the importance of access to green spaces and it is clear that the role of trees is central to the vitality of those spaces.

11.   **A total environment plan:** Through our engagement with the Environment Bill, the RTPI are making the case for a single plan that takes a holistic approach in covering all matters such as water, green, waste and energy and integrates all current environment plans derived from EU directives. It is our view that the local strategy and approach for trees should eventually be covered within the proposed environment plan with the expectation that such a plan would encourage a more joined-up approach to all relevant environmental and biodiversity issues.

12.   **Tree Preservation Orders:** The process of making and confirming a Tree Preservation Order involves several steps. In an ideal world, local authorities should proactively ensure that trees on potential development sites are protected including through using TPOs. However, this type of activity costs money, including staff funding. It is important that the following statement in the consultation allows for tangible change "*Tightening the criteria for TPOs could improve consistency in the application of the policy, and provide the opportunity to include more relevant factors to the environment, such as carbon sequestration*".

13.   Current MHCLG guidance says "*Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.*" We would welcome recognition through updated MHCLG guidance that a TPO is permissible due to the multiple benefits provided by trees to health and wellbeing and for their role in providing cooling and shading.

14.   **Targets:**
        Tree planting

        The consultation repeats the government's manifesto commitment to increase tree planting across the UK to 30,000 hectares per year by 2025, in line with the annual rate recommended by the Committee on Climate Change in 2019. We have the following comments on tree planting targets:
        a) The ETS should set intelligent targets for the quality and type beyond simply quantity. For example, larger, more mature trees are better at sequestering carbon as they are mixed rather than monoculture. Trees can reduce CO2, however if wrongly planted the canopy can trap pollution along busy roads leading to increased pollution. As such, training on what to plant and where would be necessary.
        b) The current national targets hold limited meaning at a local level without understanding the local tree resource. Planners need to be at the forefront of understanding their existing tree resource, there are several tools to do this including:
            • *I Tree Canopy - UK Urban Tree Canopy Cover*
            • *Treezilla - https://treezilla.org/about*

- *Setting a local tree canopy cover target -Tree canopy cover leaflet*

15. Canopy cover
Tree canopy has many benefits including the provision of shade during the summer to cool buildings and roads, reducing wind speeds, and intercepting rain[2]. The ETS should include enforceable targets for tree canopy cover. The benefits of tree canopy targets are that they focus on the cover that trees provide rather than simply the number planted.

16. **Ongoing maintenance and enforcement:** The consultation document acknowledges that only 59% of England's woodlands are actively managed, it does not however appear to offer any solutions as to how to address this. Creating new woodlands, which may become neglected, is not going to remedy the existing problem. The strategy should support delivery of both increased well-managed woodlands and also improve the maintenance of existing woodlands. Planning enforcement officers could also be supported through increased training on tree protection matters and compliance with landscape schemes.

17. Further discussions with the RTPI's NAPE Network in preparing this response indicates that landscaping conditions are generally not adhered to and that trees do not receive adequate maintenance. It can take significant time and effort to engage with the relevant management company to deal with any outstanding matters. The wording of conditions can also sometimes cause issues and conditions regarding planting resulting in schemes not always being followed up. If there is an issue with a protected tree (i.e. with a TPO) this is a high priority case. However if a TPO is not in force, there are limited enforcement actions that the local authority are able to take.

18. Mainly large scheme sites have management companies that maintain landscaping. Small sites generally do not. With these smaller sites, landscaping conditions (that require landscaping to be maintained for 5 years) are not always complied with. If no complaint is made (which is often the case with respect to landscaping), the Local Authority will not be made aware, and so it slips under the radar. Having appropriate management in place for small scale sites could better ensure that landscaping was maintained for a longer period of time.

19. Woodland management schemes are often required as conditions on planning applications. These are then signed off by planners but are not often enforced. As the Government's experts on forestry the Forestry Commission should be resourced to enable them to take responsibility for signing these off and ensuring effective long-term monitoring. This approach would ensure that the planning system effectively delivers new well managed woodland for the long term and valid improvements to the management of existing woodlands on development sites.

20. **Viability:** The potential increase in the costs for businesses associated with tree planting is clearly an issue that requires consideration. Some of the most important issues to consider are likely to include: root damage, subsidence, leaf fall and wildlife strikes (particularly on roads and railways), sap and pollen damage. Woodland corridors may also provide conduits for invasive species and disease.

21. **Pre-emptive tree or woodland clearance:** The ETS recognises the risks to all trees and woodlands through pre-emptive tree or woodland clearance ahead of planning applications to develop land. However, the strategy does not propose any changes to address this matter and for both Local Planning Authorities (LPA's) and the local community, this is particularly disappointing given the evidence provided in footnote number 10, which states: *At least 43% of the reports of alleged illegal felling in 2019-20 were promoted by development.*

22.   A full planning permission is one of several exemptions that negate the need for a landowner to apply for a felling licence. Where there is evidence that trees have been felled on the site prior to full planning being granted then the Forestry Commission should automatically become statutory consultees on the site.

23.   Currently many planners are not aware of where they can find details of felling licences that have been issued or that are still open for consultation. In line with the PWP the resources currently mapped in the Forestry Commission Public Register should be made more easily available and be embedded in GIS systems that planners use on a day to day basis i.e. MapInfo.

24.   **Biodiversity Net Gain (BNG):** The RTPI response to a consultation on BNG in February 2019 outlined that decisions about biodiversity net gain at the development level should contribute to the wider objectives of the local authority. Alongside their Local Plan, local authorities should work collaboratively to develop strategic spatial plans for the environment, setting out objectives for biodiversity, green and blue infrastructure, natural capital, accessibility, and other priorities at a landscape scale. Any proposals to fund woodland creation through private investment as part of BNG should be conducted as an integrated part of the above approach. The PWP sets out *to create a 'net gain' not just 'no net harm';* the ETS should echo this and move towards an environmental net gain approach to maximise the wider benefits of woods and trees.

25.   **Ancient woodlands and buffer zones:** Local Authority Planners currently rely on the Ancient Woodland Standing Advice, on buffer zones, which states: "*For ancient woodlands, you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone.*"

26.   However, the 15m buffer is often seen as a maximum rather than a minimum. Whilst it is clear both visually and anecdotally that small buffers result in damage to ancient woodland there is currently minimal evidence that planners can use to require them. The proposed research into the effective size and use of buffer zones research set out in the consultation document would be welcomed.

27.   More effective information sharing between agencies is critical to reduce woodland loss. This was traditionally carried out through close contact between the local authority tree officer and local Forestry Commission Officers. The recent lack of tree officer support for planners has led to a breakdown in these relationships. This is particularly critical in cases where there is potentially illegal felling on a site that is put forward for planning. The Forestry Commission is currently a non-statutory consultee on planning applications affecting ancient woodland. RTPI members have fed back that this is a confusing role for a statutory body and can produce inconsistencies in how it is consulted and the weight that should be given to its responses. Clarification on this role in the ETS would be welcomed. Making this role statutory would reiterate the significance of this irreplaceable habitat. In the light of the new front-loaded approach to local plans set out in the PWP it might be worth considering how the Forestry Commission role could be extended to plan-making rather than being limited to the development management stage. This would ensure that ancient woodland and other woodland habits are considered fully as early as possible.

28.   The ancient woodland inventory should be fully updated across the country. This would avoid delays at the development management stage when the status of woodlands is questioned. It is also of pressing importance given the PWP proposals for a front-loaded data driven system.

29. The RTPI produced online training on Ancient woodlands available via RTPI Learn (login access required). This module demonstrates that it is possible to utilise existing planning legislation, tools and best practice to undertake high quality development that respects and protects the precarious nature of our ancient woodlands and trees. It also shows how planning can work to enhance these precious resources for future generations.

Q&A

EXPANDING AND CONNECTING OUR WOODLANDS: QUESTIONS

Q15. Which of the following actions would be most effective in helping expand woodland creation in locations which deliver water, flood risk benefits and nature recovery?

a) Widening the eligibility criteria for woodland creation grants so more applicants can apply and more forms of woodland are eligible
b) Widening the eligibility criteria for woodland creation grants so more sizes of woodland are eligible
c) Increasing grant payments for tree planting along water courses, steep sided slopes and difficult sites

17. **Which actions would be most effective to increase protection for trees and woodland from unsustainable management**? (select up to three options)

b) More effective information sharing between government departments and their delivery bodies to inform decisions impacting on woodland, including to prevent woodland loss

g) Refining the process of making Tree Preservation Orders, and clarifying the criteria to improve consistency in application of the policy across local authorities.

PROTECTING AND IMPROVING OUR WOODLANDS: QUESTIONS

18 Which actions would best help the planning system support better protection and enhancement of the ancient and wider woodland environment and trees?

d) Sharing best practice guidance and training to support implementation of National Planning Policy Framework policy on ancient woodland with local authority planners

f) More effective information sharing between agencies and local planning authorities to inform decision making impacting on woodland including to prevent woodland loss

27. Which of the following actions would be most effective in improving plant biosecurity across England's trees and woodlands?

b) Providing better best practice guidance and information about biosecurity

f)   Managing the impact of invasive non-native plants which provide a pathway for disease through targeted action, ongoing management and monitoring, and wider education

28 Which of the following actions are or would be most appropriate for England's trees and woodlands to contribute to climate change mitigation and helping to achieve net zero?

a) Bringing woods into management to enhance their future resilience to climate change and secure greenhouse gas emissions reduction in other sectors through wood replacing 'carbon intensive' materials (acknowledging that this will lead to a short to medium reduction on carbon stored in the woodland)

b) Planting UKFS-compliant productive forests to provide a strong carbon sink over the coming decades and then a source of sustainable timber to meet the needs of future generations

d) Establishing 'energy forest' plantations (short rotation coppice and short rotation forestry) to satisfy future biomass demand for bioenergy with carbon capture and storage

ENGAGING PEOPLE WITH TREES AND WOODLAND: QUESTIONS

31. Are any of the following significant barriers to securing and maintaining Street trees?

e) The funding and skills for ongoing maintenance of Street trees over their lifetime.

b) Practical challenges in terms of Street design, planting requirements and compatibility with other infrastructure provision.

a) Appropriate standards and guidance for securing the right trees in the right places.

33. Which of these actions would be most effective in increasing the number/coverage of trees in and around urban areas?

a) Promotion through national policy (including England Tree Strategy and national planning policy) including recognition that trees and woodlands are key components of green infrastructure, with equal status to other green and built infrastructure.

d) Training for practitioners, including highway engineers and others.

b) Promotion through national guidance (such as green infrastructure, planning and design, and code/Street guidance, e.g. Manual for Streets) - stronger inclusion of appropriate engineering solutions.

e) Providing better support for community forests in areas of greatest need

f) Creating new community forests in areas of greatest need

34 Which actions would most help the preparation and implementation of local Tree and Woodland Strategies?

g) Strengthening technical expertise in tree and woodlands management in local authorities.

a) Preparing national guidance on developing Local Tree and Woodlands Strategies

f) Adopting Local Tree and Woodland strategies as supplementary planning documents

h) recognising trees and woodlands as key components of green infrastructure, with equal status to green and built infrastructure

d) Agreeing national data standards for urban trees

e) Standardising the approach to measuring the value of the urban forest resource

b) Setting local targets for tree canopy cover

c) Using canopy cover as a measure to monitor the scale and development of the urban forest.

35 Which actions would most effectively engage people in the management and creation of their local woodlands?

a) Providing more training opportunities to support woodland management and creation

e) Facilitating networks to exchange ideas and share good practice

h) Supporting the growth of social enterprise in and around towns and cities

b) Providing legal support to community groups for the acquisition or lease of woodland

d) Enabling community groups to participate in the management of their local woodland

c) Enabling community groups to participate in the management of their local woodland

f) Providing better support for community forests in areas of greatest need

g) Creating new community forests in areas of greatest need.

36 Which actions by government would be most effective in addressing barriers to peoples access to trees and woodlands ?

b) Offering more generous woodland management incentives for those woodlands with public access

e) improving the quality of access by investing in infrastructure (car parks, trails, path surfacing, signage, seating)

g) Supporting people to become trained/accredited to better facilitate contact (learning and health) with nature

c) Creating new accessible woodlands in and around towns and cities

d) Supporting woodland access with bespoke incentives simply to allow access

37 Which of the following do you most value about trees and woodland

b) Places for nature

e) A resource that cleans the air

38 Which of these actions would best address the funding challenge for the planting and on-going maintenance of trees in urban areas?

b) Using planning levers to require developers to plant trees relating to new development on streets and other public spaces and,

c) Using planning levers to raise funds for on-going maintenance

SUPPORTING THE ECONOMY: QUESTIONS

39. What could the England Tree Strategy do to encourage the use of timber in construction?

a) Improving, encouraging or incentivising the growth of necessary skills such as those in green construction, design or forestry
f) Supporting new innovations in developing timber building materials such as cross laminated timber

40. How could policy about the permanency of woodlands better support tree establishment for agro forestry or energy crops?

a) Changing policy so it does not treat afforestation as a permanent land use change.
(Sites promoted for long term development could then be planted up for temporary woodland whilst 10, 15 and 20 year build out of larger sites is progressed in an unfettered manner.)