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|  | **THE PARISH COUNCIL OF HELLINGLY**The Community Hub, The Drive, Hellingly, East Sussex, BN27 4EP Tel: 01323 449415e-mail: clerk@hellingly-pc.org.ukWebsite: [www.hellingly-pc.org.uk](http://www.hellingly-pc.org.uk) |

**Hellingly Parish Council**

**Tree Strategy & Policy**

When the first plans were received by the Parish Council of Hellingly (PC) for the development of Hellingly Hospital a Trust was formed called Hellingly Community Park Trust (HCPT) which worked extremely closely with the Parish Council and planners to preserve part of the area as a Country Park.

Once plans were submitted for the development of the site a large area was secured to remain as woodlands and a recreation area which we have today.

In December 2018 the PC had a full Tree Survey carried out on all trees within the Parish (this is available on the Parish Council’s website, www.hellingly-pc.org.uk). In the report, after the survey, a few trees were identified as needing urgent work as they were dangerous, others that would either become dangerous or had disease and other that just needed work to sustain the integrity of the tree.

Once these trees were identified 3 independent qualified tree surgeons were asked to inspect the trees. Once all agreed a dedicated member of staff confirms with Wealden District Council’s (WDC) Tree and Landscape officer whether a Tree Preservation Order (TPO) is in place for the tree in question. Should an application be needed for works an application is submitted to WDC for approval, if no TPO is in place the works are carried out once again by a qualified tree surgeon. If an application has been agreed the conditions applied to the application including replacing the felled trees with the same species are followed.

The Parish Council also have two tree wardens that inform the Council of trees that become damaged or become diseased within the Parish and also report any reports that are received from the Public this is an ongoing practise.

The Councillors and staff at Hellingly Parish Council are passionate to retain the rural feel of Hellingly, a recent application was submitted to WDC which was successful in placing a TPO on a line of mature Oaks on a development site that is due to be built on.

Should you have any questions regarding tree works within the Parish please contact the Parish Clerk, Jenny Hoodless on 01323 449415 or email clerk@hellingly-pc.org.uk.

**What we do to council owned trees:**

* Remove dead, dying or diseased trees
* Prune tree branches touching a property as agreed per individual inspection
* Arrange for a memorial tree to be planted (for an agreed fee) in a local park. The memorial tree will include a commemorative plaque

**What we do not do to council owned trees:**

* Remove or prune a tree on council owned land that is contributing to fruit fall, leaf fall, insect sap or bird droppings
* Remove or prune a tree that may be causing satellite reception difficulties.
* Prune tree branches that are causing an obstruction to highway signs, traffic lights or lamp columns, please contact East Sussex County Council.

**Maintenance MAY BE carried out if one of the following applies to Parish owned trees:**

* A tree is causing a legal nuisance to an adjoining property.
* A tree may be contributing to soil shrinkage and structural damage to adjacent buildings or other built features, where it is felt that it is appropriate to restrict the size and moisture demand of the tree.
* A tree is creating an obstruction to repairs or maintenance of a property.
* A tree is blocking daylight from habitable rooms to a severe and unreasonable degree.
* A tree is restricting surveillance and needs to be managed to create a reassuring environment, reduce fear of crime, and increase citizen surveillance.
* A tree is physically in contact with a building and/or roof of a building.
* A tree is obstructing or interfering with street lighting or highway signage or is likely to do so.
* There is a need to remove dead, diseased or damaged branches.

**The Parish Council will not carry out tree maintenance if any of the following applies:**

* Minor loss of light or removal to improve sightlines unless there is a health and safety issue
* Sap (Honeydew)
* Bird fouling
* Satellite or TV reception signal disruption
* Pruning due to overhanging property
* Squirrels gaining access to property via trees
* Leaf, fruit or flowers and general debris fall
* Pruning or removing for speculative subsidence where no evidence provided
* Pruning or removing because of an increase to household insurance policy
* Removing to improve aesthetics
* Removing trees perceived as too large
* Removal for drop kerb/ new driveway (when tree is deemed to live longer than 5 years)

TPOs can be served to stop a tree or group of trees from being felled. On occasions it is necessary to fell trees, for example to make way for property developments or if the trees themselves are poorly managed.

In order to successfully serve a TPO you need to demonstrate that the loss of the tree(s) will result in a negative impact on the surrounding area, for example reducing the public's ability to enjoy the location of the tree(s). This can be claimed if:

* the tree is normally visible from a public place such as a road or footpath (although exceptions can be made if other trees are blocking the view)
* the benefit may be present or future e.g. if the trees are not yet fully grown and will in time be visible
* the trees are worthy of preservation for their intrinsic beauty or for their contribution to the landscape
* they serve to screen an eyesore or future development
* their value is enhanced by their scarcity
* the value of a group of trees or woodland may collectively be important

Other factors such as wildlife habitat can strengthen a case but not be sufficient in isolation to justify a TPO.

**Pruning overhanging trees that are owed by the Parish Council:**

You are permitted to prune back overhanging branches from a tree owed by the Parish Council, if the tree is not covered by a TPO or in a conservation area.

We would advise you to check the status of a tree with the Parish Council or Wealden District Council (WDC) before pruning any branches. Any unauthorised works to trees covered by a TPO or in a conservation area carry a substantial fine.

If the tree is located within a conservation area, but is not covered by a TPO, a description of works to be carried out needs to submitted to WDC.

You will need to submit this to the Tree Preservation Officer before the works are due to start.

**Private property:**

The care and maintenance of any trees within private property is the responsibility of the landowner or homeowner.

**Pruning overhanging trees on Private Property:**

You are allowed to prune back overhanging branches from a tree in a neighbour's property, if the tree is not covered by a TPO or in a conservation area.

We would advise you to check the status of a tree before pruning any branches as any unauthorised works to trees covered by a TPO or in a conservation area can carry a substantial fine.

If the tree is in a conservation area but is not covered by a TPO, a description of works to be carried out needs to be submitted by requesting an application for the work.

**Trees not covered by a TPO or conservation area:**

Any dispute between neighbours regarding trees not covered by a TPO or not within a Conservation Area is considered a civil matter. The council will not intervene at any time.

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| **Adopted** | **Reviewed** | **Next Review** |
| 11th May 2022 |  |  |
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