



Hawkhurst Parish Council
Tree and Hedgerow Policy



September 2019

“Preserve and enhance”

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1. Introduction

1.1 The Council is keen to preserve and enhance the trees and hedgerows in the Parish as they are a key feature of not only Hawkhurst but the Weald, indeed Hawkhurst means “hawks in wooded hills”

1.3 One of the key aims of Hawkhurst Parish Council is “to protect the environment” with an objective being “environmental services and amenity provision”. This strategy will set out key objectives, actions and partnerships to grow a “Greener Parish”

2. Why are Trees and hedgerows important

2.1 The Woodland Trust states “Trees and Hedgerows are important features in the landscape; offering food and shelter for wildlife, providing historical and cultural links, and providing landscape-scale connectivity.”

2.2 In, Hawkhurst, an ancient village in the Weald, this is especially true. As well as being central to the visual character of the Parish, trees and hedgerows create a diverse habitat and wildlife corridors for a variety of wildflowers, bugs, birds and mammals. They are also useful in flood prevention and absorbing noise and particulate pollution.

3. Partnerships working

3.1 The Parish Council will endeavour to preserve and enhance the number and quality of trees and hedgerows in the Parish, both as an owner and manager of land and also influencing others.

3.2 The Parish Council will work with residents, other authorities, charities and landowners. For instance:

- Residents – whether it is in gardens or larger landowners are the key partners in protecting and enhancing trees and hedgerows. We will feed into the TWBC Local Plan policies in relation to trees and hedgerows.
- We are fortunate to have the Bedgebury National Pinetum and Forest within Hawkhurst Parish and we will actively promote their work and initiatives.
- We will engage with partners such as Woodland Trust, Weald of Kent Protection Society and CRPE Kent to protect trees and hedgerows.

3.3 The Parish Council will from time to time take advice from and support the work of the Tunbridge Wells Borough Tree Officer, The Woodland Trust, The Kent Wildlife Trust and others as it sees fit.

4. Council as a land owner

4.1 The Parish will, for land that it owns or manages, undertake a tree and hedgerow survey to ascertain the number, variety and health of the stock; and identify areas with the potential for new planting. We could create a new public woodland if we desired.

4.2 If a tree falls and causes injury or damage, the relevant landowner could be held negligent if they have failed to take sufficient care of the tree. Therefore, as a landowner, the Council has a duty of care to ensure that all trees on Parish Council-owned land are kept in an acceptable condition and do not put people or property at unreasonable risk.

5. Maintenance

5.1. The Council has adopted a proactive approach to tree maintenance. However, only essential/minimal works will be undertaken in order to manage a tree because the Council supports a policy of tree preservation. The type of works undertaken will depend on the tree's location, the species of tree and its state of health at that time.

5.2. Regular inspections will be carried out to identify issues at the earliest juncture, so that preventative action can be taken where possible. Areas close to roads, buildings and with high public usage will be prioritised.

5.3. Inspection regime will be as follows:

- Professionally Qualified Arboriculturalist – initial inspection to register, survey recommend maintenance actions and risk assessment –plus map the trees and hedgerows.
- Based on risk assessment repeat inspections by a qualified Arboriculturalist.
- Regular visual inspections which are documented

5.4 As a guide, tree works will be undertaken in the following circumstances;

- Where an inspection has identified the tree as potentially hazardous or an immediate danger
- If the works are vital to the tree's long-term survival. Dead, dying or diseased trees will only be fully removed when there is no other option.
- To abate an actionable nuisance where branches are touching buildings e.g. physical contact with walls, windows, gutters.
- When previous maintenance regimes have determined future works are of the same specification for that specimen e.g. pollarding, crown reduction.

5.5. The impact on local wildlife of all tree works, specifically felling and pruning, will always be thoroughly considered, with the impact minimised where possible.

5.6. Where appropriate, dead and fallen wood will be left on site unless there are sound conservation and safety reasons for its removal.

5.7. All tree work will be carried out by a qualified tree surgeon appointed by the Parish Council and in accordance with BS/3998/2010 Recommendations for Tree Work 2010 (and any subsequent revisions). All works must have Parish Council approval and must be carried out by the Parish Council's appointed Tree Surgeon based on their professional advice.

6. Trees in the Planning process

6.1 Trees are part of the Wealds heritage and character, from time to time planning applications include the removal of trees.

6.2 The Council is against the removal of trees on principle, however if the removal of a tree is required then a section 106 request is that for every tree that is removed three trees are planted; either on site or off site.

6.3 For any new areas identified as being suitable for hedgerow or tree planting a planting scheme will be agreed. The actual planting will be dependent on a combination of factors. For example, seasonal considerations and the availability of Parish funding, grants, corporate or charity donations and/or from developer contributions.

6.4 The Parish Council, as a formal planning consultee, will use its influence in the planning process to object to the removal of hedgerows and trees, or development that will damage them. However, where a development is approved we will press for planting trees and hedgerows on or near the development site. If that is not possible then we will press for this to be done elsewhere in the Parish.

6.5 We would call for a minimum contribution on the basis of 1,3,5. One tree removed, three trees planted, five-year maintenance plan; or, one sq. metre of old hedgerow dug up, three sq. metres newly planted, with a five-year maintenance plan.

6.6 Developers would fund a 'tree/hedgerow bank' which the Parish would spend on planting on its land or other land within the Parish and have the fund to look after them until they became established.

7. Protected Trees

7.1. A Tree Preservation Order (TPO) prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.

7.2. It is an offence to cut down, lop, top, uproot or wilfully damage or destroy a tree in a Conservation Area without giving prior written notice to Tunbridge Wells Borough Council (TWBC).

7.3. Additional approval will be obtained from the Tree Officer at TWBC for trees on which there is a TPO or from the Conservation Officer, if located in the conservation area.

7.4 From time to time the Council can submit a TPO request to TWBC if appropriate.

7.5 Note Residents can also submit TPO requests to TWBC.

8. Requests for Tree Work

8.1. Whilst the Council will consider the impact of trees in each case on individual merit, the Council will not fell or prune trees on Parish Council-owned land if it is for any of the following non-arboricultural reasons:

- 8.1.1. Solely to alleviate problems caused by natural and/or seasonal phenomena e.g. falling leaves, fruit, seeds/berries, bird droppings, pollen etc.
- 8.1.2. Solely for reasons of increasing sunlight/views to properties and gardens.
- 8.1.3. Solely for the reason that the tree(s) is causing interference with television or satellite reception. In most cases the problem can be resolved by relocating the aerial or satellite dish. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning to enable clear television reception would only be considered in exceptional circumstances.
- 8.2. Adjacent landowners have a common law right to prune back tree branches to their boundary, providing that would not lead to tree death and providing the tree in question is not protected by a TPO or situated within a Conservation Area.
- 8.3. Tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Tree felling and branch pruning in response to root invasion in gardens would not normally be appropriate as such works are likely to worsen the problem. The encroachment of roots into adjoining land is not considered to amount to actionable nuisance. Adjacent landowners have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a TPO or situated within a Conservation Area.
- 8.4. Landowners are reminded that if access to Council-owned land is required to carry out pruning you will require written permission from the Parish Council before carrying out such works.
- 8.5 The Parish Council will consider formal applications for tree works on its land, but these must be in writing, either by letter or email to:

Hawkhurst Parish Council, Office on the Moor, Hawkhurst, Kent TN18 4QT
hawkhurstpc@btconnect.com

For an informal conversation regarding tree works, please call the Council Offices on 01580 752058

9 Policy Monitoring and review

9.1 An action plan for trees and hedgerows will be developed by the Facilities and Services Committee, who will oversee and report back to Council as required.

9.2 The Tree and Hedgerow Policy will be reviewed in line with TWBC Local Plan and from time to time as required.

Council owned land

- The Moor
- King George V Playing Field
- Heartenoak Play Ground
- Copt Hall
- Fowlers Wood