



Bristol Tree Forum: Planning Applications: 5. Tree Preservation Orders (TPO) and Notices to fell - S211

One could write a book on the subject of Tree Preservation Orders. I expect there is such a book - probably more than one.

I'll not embark on that - instead I'll do as before and provide you with some guidance and some links to information.

<https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

All you could wish to know is contained in this “very” Government document.

A lot of it is about the making of a Tree Preservation Order (TPO).

The “How to make a TPO” bits are not likely to concern you. The important bits are about what a Developer or a Tree Owner can/cannot do to a TPO tree. The answer is - **virtually nothing** without the consent of the Local Planning Authority (LPA). Think of it as **nothing at all** - that is safer.

To do anything to a **TPO tree** the person wanting to do the work (not necessarily the owner, but usually) must get consent by submitting a Planning Application and waiting for the decision.

Most planning applications are decided within eight weeks, unless they are unusually large or complex, in which case the time limit is extended to 13 weeks. The authority should be able to give an idea about the likely timetable. You can find the dates on the Planning Portal, under the tab

“Important Dates.”

Save search | Refine search | Track | Make a copy

Details | Comments | Constraints (3) | Documents (11) | Related Cases (1) | Map

Summary | Further Information | Contacts | **Important Dates**

Reference	20/05387/VP
Alternative Reference	PP-09243308
Application Received	Wed 11 Nov 2020
Application Validated	Wed 11 Nov 2020
Address	Stoke Lodge Sports Ground Shirehampton Road Sea Mills Bristol
Proposal	T11 Oak - Fell dead tree. TPO 1192
Status	Pending consideration
Appeal Status	Unknown
Appeal Decision	

There are 11 documents associated with this application.

There are 0 cases associated with this application.

Click that Tab and lots of dates are revealed.



20/05387/VP | T11 Oak - Fell dead tree. TPO 1192 | Stoke Lodge Sports Ground Shirehampton Road Sea Mills Bristol

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Details Constraints (3) Documents Related Cases (1) Map

Summary Further Information Contacts **Important Dates**

Application Validated Date	Wed 11 Nov 2020
Actual Committee Date	
Neighbour Consultation Expiry Date	
Standard Consultation Expiry Date	
Latest Advertisement Expiry Date	
Latest Site Notice Expiry Date	
Agreed Expiry Date	
Permission Expiry Date	
Determination Deadline	Wed 06 Jan 2021
Temporary Permission Expiry Date	

As I said - you will probably not be involved in the ins and outs of the making TPO to be put on a tree

- but if anyone wants to do work to a TPO tree and has made an application to do that work, and you want to mobilise the locals and your Councillors, then you need to know how long you have got. Anyhow - you needed to know how to find this page!

Tree Preservation Orders are not a be all and end all. Often permission is granted to do work on TPO trees - even to fell them. If they are felled then they should be replaced by a.n. other tree - but even then the LPA has to power to waive that requirement. And of course, if a tree has earned a TPO and is then felled - any replacement is going to be, for a few years anyway, pathetic by comparison, but it is better than nothing.

It is a criminal offence to do anything to a TPO tree without consent. The fines can be huge. But the LPA has to prosecute the offender, and some LPAs are more likely to than others.

How and why does a tree get a TPO?

Trees that are special get TPOs. There are numerous criteria. The most important from your point of view are:

- 1) It needs to be a public amenity. In other words - lots of members of the public need to be able to see it. So out of sight in a back garden, no matter how splendid, will not get a TPO.
- 2) It needs to be a good/reasonable specimen of its species. This can become a problem if someone has chopped it about a bit and then someone asks for a TPO.

If you think a tree merits a TPO then you have to ask the LPA - so for us that is Development Management at BCC. It is hugely helpful if you involve your Councillor in the making of such a request. BCC seems not to respond to residents readily - sadly.

The LPA will then ask the Tree Officers to make an assessment of the tree. The LPA is unlikely to consider making a TPO unless the tree has come under threat in some way - usually the threat of development. But there must be a threat because someone has made an application to work on a tree in a Conservation Area - that is how you noticed it in the first place.

Helpfully - because we have access to the same document - a Tree Officer (aka AO) is likely to use a scoring system. You can save time and also make more realistic requests (via your



Councillor) if you have looked at the tree with regard to the score it might achieve. It is a bit subjective though.

It is called TEMPO

Find it here:

<https://www.southampton.gov.uk/modernGov/documents/s7317/Appendix%203.pdf>

This example is Southampton's, but Bristol uses the same one. It has been filled in in this example but it gives you a good idea of how some things are important. Some bits are only assessed if the score from earlier parts merits it - so be careful as you go through.



TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)
SURVEY DATA SHEET & DECISION GUIDE

Date: September 2011	Surveyor: NG
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Tree details	Tree/Group No: T4	Species: Ash
TPO Ref: T2-544		
Owner: Singh		
Location: 36 Archers Road		

a) Condition & suitability for TPO:
Refer to Guidance Note for definitions

5) Good Highly suitable 3) Fair Suitable 1) Poor Unlikely to be suitable 0) Dead/dying/dangerous* Unsuitable	Score & Notes <div style="text-align: center; font-size: 24px; font-weight: bold;">5</div>
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* relates to existing context & is intended to apply to severe irremediable defects only

b) Remaining longevity (in years) & suitability for TPO:

5) 100+ Highly suitable 4) 40-100 Very suitable 2) 20-40 Suitable 1) 10-20 Just suitable 0) <10* Unsuitable	Score & Notes <div style="text-align: center; font-size: 24px; font-weight: bold;">4</div>
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* includes trees which are existing or near future nuisance, including those **clearly** outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO:
Consider realistic potential for future visibility with changed land use

5) Very large trees with some visibility, or prominent large trees 4) Large trees, or medium trees clearly visible to the public 3) Medium trees, or large trees with limited view only 2) Small trees, or medium/large trees visible only with difficulty 1) Trees not visible to the public, regardless of size	Highly suitable Suitable Suitable Barely suitable Probably unsuitable	Score & Notes <div style="text-align: center; font-size: 24px; font-weight: bold;">3</div>
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d) Other factors
Trees must have accrued 7 or more points (with no zero score) to qualify

5) Principal components of arboricultural features, or veteran trees 4) Tree groups, or members of groups important for their cohesion 3) Trees with identifiable historic, commemorative or habitat importance 2) Trees of particularly good form, especially if rare or unusual 1) Trees with none of the above additional redeeming features (incl. those of indifferent form)	Score & Notes <div style="text-align: center; font-size: 24px; font-weight: bold;">1</div>
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Part 2: Expediency assessment
Trees must have accrued 9 or more points to qualify

5) Immediate threat to tree 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only	Score & Notes <div style="text-align: center; font-size: 24px; font-weight: bold;">5</div>
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Part 3: Decision guide

Any 0 Do not apply TPO 1-6 TPO indefensible 7-11 Does not merit TPO 12-15 TPO defensible 16+ Definitely merits TPO	Add Scores for Total: <div style="text-align: center; font-size: 24px; font-weight: bold;">18</div>	Decision:
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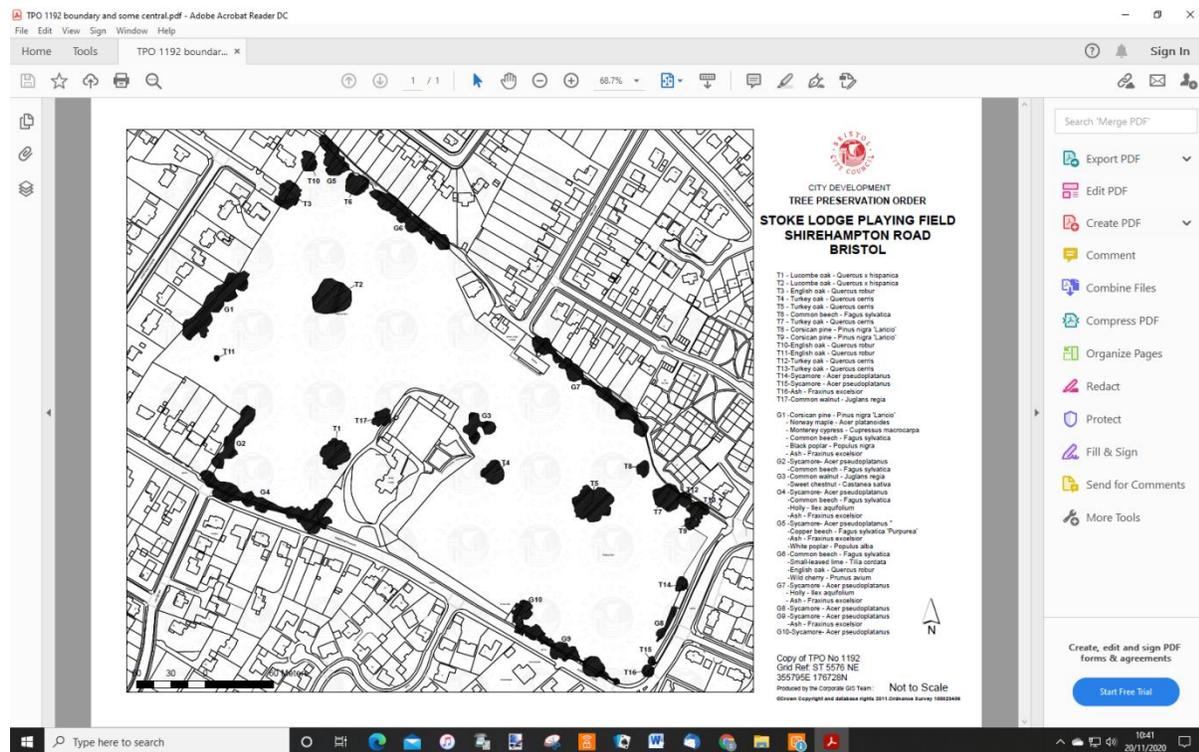


As I said in an earlier section, an Application to do work on a TPO tree will have the suffix /VP after its reference number.

Thus: 20/05387/VP | T11 Oak - Fell dead tree. TPO 1192 | Stoke Lodge Sports Ground Shirehampton Road Sea Mills Bristol.

In this example the TPO 1192 reference is the number of the TPO Order in which you will find that tree.

This is TPO 1192. (Having these documents is not usual - but as I have it, I'll show it here)



You can find T11 on this document so know which tree is being referred to in the Application.

Trees can lose their TPO status

If an application is made to work on a TPO tree, and when the Tree Officer visits and he/she finds it is now surrounded by developments to the extent that it is no longer highly visible - a “public amenity” - it may no longer merit its TPO status.

Also, overzealous work to its Crown may have been done, even with and following consent, and its Form may have been spoiled, so then it no longer merits its TPO status.

S211, Conservation Areas and saving trees in a Conservation Areas



I mentioned trees in a Conservation Area in an earlier Tutorial. Trees in a CA are not protected. But anyone wanting to do work on them has to give notice to an LPA of their intention. This is called giving an S211 Notice. The LPA then has 6 weeks to make a decision, or the Notice Giver can then go ahead and do the work.

The only way an LPA can “save” such a tree is to put a TPO on the tree.

The tree thus has to “deserve” the TPO, and it takes time. So these applications - with the suffix /VC - tend to be the ones to look at first in your Ward’s Planning Application list in case you need to mobilise opinion and Councillors, or get help from the BTF.

If the tree warrants retention and the Application is to fell it, then you need to get your Councillor to ask for a TPO and you only have 6 weeks.

20/02246/VC | T1 - Multi stemmed Ash - Fell to ground level. | 20 Old Sneed Road Bristol BS9 1ET

Where can you find if a tree has a TPO?

One clue as described is in the suffix to the Planning Application. If it has a TPO then the suffix is /VP.

In that Application on the Planning Portal you will find the Tab “Constraints”. Under Constraints you will find reference to the TPO.

Search My Profile Login Register Apply Online

Planning – Application Constraints [Help with this page](#)

20/05387/VP | T11 Oak - Fell dead tree. TPO 1192 | Stoke Lodge Sports Ground Shirehampton Road Sea Mills Bristol

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[Details](#) [Comments](#) **Constraints (3)** [Documents \(11\)](#) [Related Cases \(1\)](#) [Map](#)

Name	Constraint Type	Status
Tree Preservation Order Number: 1192	Tree Preservation Polygons	
SW drainage discharge zone: Use infiltration techniques where possible, or reduce the discharge rate and provide water quality improvements	Surface water drainage discharge zones	
7	Smoke Control Areas	Confirmed



But we are talking about trees that have /VC or indeed you have discovered truly worthy trees in an “ordinary” Application - a tree that warrants retention and future protection.

The Tree Forums sister website “Trees of Bristol”

<https://bristoltrees.space/Tree/>

Has a map of all the TPOs in Bristol we know about.

Follow the cascade:

Collections

TPO

Then click **4688 Trees** - and the map is displayed for you to navigate around to your Ward.

Or Bristol Council has a Map:

One for Trunk TPO

<https://opendata.bristol.gov.uk/explore/dataset/tree-preservation-order-trunk/map/?location=19,51.47957,-2.63986&basemap=jawg.streets>

and one for Canopy TPO

<https://opendata.bristol.gov.uk/explore/dataset/tree-preservation-order-canopy/map/?location=18,51.46893,-2.60933&basemap=jawg.streets>

but we are getting into fine detail here and not for the beginner!

If you have got this far with one of your Planning Application reactions then you are probably going to need help from one of us at the Bristol Tree Forum, and from your local Councillors.