

Statement of consultation

Trees SPD

Introduction

This Consultation Statement sets out details of the consultation Durham County Council has undertaken in the preparation of the Trees, Woodlands and Hedges Supplementary Planning Document (SPD).

Consultation on the draft Trees SPD

The SPD was made available on the council's consultation website from 13 January to 24 February 2023.

Responses from consultees will inform the re-drafting of the SPD. The Trees, Woodlands and Hedges SPD will be taken to the respective Councils' Cabinets for approval before being consulted on for a further six weeks in Autumn 2023. The Consultation Statement will be published alongside the SPD so that responses consultees can read our responses to their comments. Following the second consultation, comments will again be reviewed with appropriate amendments made to the SPD before it goes to Cabinet for adoption. Once adopted, the SPD will inform planning decisions in County Durham.

Background and aims of SPD

Trees, Woodlands, and Hedges are important features of both our countryside and urban areas. They make an enormous contribution to the character, beauty and heritage of our landscapes and townscapes and are a cornerstone of their biodiversity. They store carbon in their biomass and soils and the timber they produce, create shade to reduce urban heating, intercept airborne pollutants, and help regulate the flow of water through catchments reducing flooding and the pollution of watercourses. The ecosystem services they provide make them an important part of our natural capital and contribute to the resilience of the landscape to climate change.

This Supplementary Planning Document (SPD) has been developed to outline Durham County Council's (the Council) approach to trees, woodlands, and hedges in relation to development. This SPD will be a material consideration in the determination of planning applications and, therefore, will be considered by Council Officers and Elected Members as part of their assessment of planning applications. It will be considered alongside other design guidance such as Building for Life SPD, Developer Contributions SPD, and specific masterplans. The purpose of this SPD is to ensure that trees, woodlands, and hedges are fully considered as part of the planning process so that the many benefits they provide can be sustained and enhanced.

Responses

The consultation process yielded 16 comments in total. The tables below show the comments received and the Council's response to them.

Q1. Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.

Respondent	Comments	DCC's Response
James Johnson, Avant Homes (North East)	Overall, AHNE supports the process and purpose of the SPD.	The Council notes the response.
James Johnson, Avant Homes (North East)	Specific wording is required to ensure the SPD is used as a guide rather than a required document, in order to provide flexibility.	Additional clarification has been added at 1.3 to the effect that the SPD provides guidance on good practice and is not a design standard.
James Johnson, Avant Homes (North East)	SPD should form a point of reference, i.e., it should not restrict development that would be otherwise be supported by the Local Plan and National Policies from coming forward.	The Council notes the response.
James Johnson, Avant Homes (North East)	The SPD should be consistent with the NPPF and not replicate or contradict national planning policy on trees, woodland and hedges in Chapters 12. Achieving well-designed places and 15. Conserving and enhancing the natural environment of the NPPF.	The Council considers that the SPD is consistent with NPPF and doesn't replicate or contradict it. Chapter 12, Paragraph 131. notes that planning policies should ensure new streets are tree-lined, opportunities are taken to incorporate trees elsewhere in developments and trees are retained where possible. This is referenced in paragraph 1.12, of the SPD. Chapter 6 references the opportunities for development to include street trees and that new streets should be tree lined. Street trees are referenced in paragraph 6.43 and 6.56. The section on Street trees additionally references the benefits of street trees in enhancing the visual quality and local distinctiveness of streets, in accordance with Chapter 15 of the NPPF, as does paragraph 6.89 in reference to woodland planting.

Bellway Homes Limited (Group office)	Bellway do not object to the principles of the Tree, Woodland and Hedges SPD, and generally, the majority of the contents would appear to reflect guidance from other existing publications.	The Council notes the response.
Northumbria Garden Trust	The Trust welcome the preparation of this comprehensive guidance, which will be a material consideration in the determination of planning applications and trust that on adoption, it will be used to inform planning decisions impacting on all parks and gardens in County Durham.	The Council notes the response.
Belmont Parish Council	Belmont Parish Council greet the document with enthusiasm.	The Council notes the response.
Durham University	Durham University understand the SPD's purpose is to ensure that trees, woodlands, and hedges are fully considered as part of the planning process so that the many benefits they provide can be sustained and enhanced.	The Council notes the response.
Richard Hornby, Gilesgate Residential Association	Gilesgate Residents Association greet the document with enthusiasm.	The Council notes the response.
John Ashby, City of Durham Trust	Comprehensive, well-researched and informative draft.	The Council notes the response.
John Ashby, City of Durham Trust	The relationship of this SPD to the other SPDs needs identifying; a road map would help.	The Council will develop an SPD website where all SPDs will be mapped.
John Ashby, City of Durham Trust	Will the SPD also have a connection with other County Council initiatives in relation to conservation areas?	The SPD will be taken into account in the preparation / review of Conservation Area Management Plans
John Ashby, City of Durham Trust	The function of trees and woodland in green infrastructure and the importance that this is now assuming in planning and management considerations should be stressed more.	Additional reference to the function of trees as part of green infrastructure has been added at 2.12

Mr A Shanley, City of Durham Parish Council	The City of Durham Parish Council welcomes the proposals within this SPD with positive enthusiasm.	The Council notes the response.
Mr A Shanley, City of Durham Parish Council	Note that the Ancient Woodland Inventory has not been updated since 2010 and hope updating this becomes a priority. The Durham Hedgerow is even more out of date, being concluded in 2006, and that there is no recent survey to quantify the impact of Ash die-back.	The Government is committed to updating the national Ancient Woodland Inventory. The County Durham Ancient Woodland Inventory was a map-based exercise which remains up to date in terms of its evidence base. The Council anticipates that this will be superseded in time by the improved and updated national inventory. The Durham hedgerow Survey was a DEFRA funded sample based study designed to give an overall picture of the composition and condition of the county's hedgerow resource. It's findings are considered to be reasonably accurate for the purposes it is used for. There are no current plans to update it. Surveys of Ash Dieback are being undertaken on the county's highways in 2023 and 2024 which will inform our understanding of the issue.
Mr A Shanley, City of Durham Parish Council	We are fully aware of the contribution which trees, woodlands and hedges make to the character, beauty, and heritage of our area, as well as to the mental and physical health of residents. Their role in assisting with the mitigation of climate change is paramount. We would suggest a greater emphasis on this role.	Reference is made to the contribution trees make to mitigation of climate change in paragraph 1.1 including carbon storage, reducing urban heating, regulation of flood waters and resilience of ecosystems.
Mr A Shanley, City of Durham Parish Council	Note the reference County Durham Climate Change Strategy and Emergency Response Plan and its proposals for the creation of new woodland and more detail would be welcomed here.	The SPD provides a link to the Strategy and Emergency Response Plan in paragraph 1.25 from where the document can be read in full. The planting programmes currently forming part of the Response Plan are likely to evolve and change in

		future within the life of the SPD so a link is considered to be the best way of referencing it.
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Q2. Do you have any comments on the background section of the SPD?

Respondent	Comments	DCC Response
Belmont Parish Council	Approve the connections with the Environment Act 2021 and support attempts to achieve biodiversity net gains.	The Council notes the response.
Mr Richard Hornby, Gilesgate Residents Association	Approve of the connections with the Environment Act 2021, and support attempts to ensure a net gain for biodiversity. It is positive to formalise the contribution of hedges because of their landscape, heritage, amenity, and biodiversity value. It was extremely helpful to have such detailed reference to all the other documents and plans relevant to this topic.	The Council notes the response.
John Ashby, City of Durham Trust	Cross reference to the Durham City Neighbourhood Plan (DCNP) is needed, in respect of Policy G1, G2, G3, G4.	Reference has been made at 1.25 to the relationship with Neighbourhood Plans.
John Ashby, City of Durham Trust	The National Design Code and guidance together with other government initiatives should be referenced.	Reference has been added at 1.16 and 1.26 to the National Design Code, National Design Guide and the Council's Design Code SPD.
John Ashby, City of Durham Trust	A full listing of currently known sources of trees/woodland/hedgerow strategy and management plans would be useful, including those of the County Council and University.	The County Council's only adopted strategies for trees woodlands and hedgerows are contained in the County Durham Landscape Strategy 2008. Additional text has been provided at 1.31. The Council does not have information on the strategies and management plans of other parties.

Q3. Do you have any comments on the Council's proposed approach to planning for trees, woodlands and hedges in development?

Respondent	Comments	DCC Response
James Johnson, Avant Homes (North East)	It is important that the Trees, Woodland, and Hedges SPD is balanced with other planning considerations and should not place unnecessary or unjustified burdens on applicants at a time when Building Regulation requirements and build costs have risen significantly, other planning requirements have been mandated (nutrient neutrality mitigation, delivery of Biodiversity Net Gain (BNG), etc) and when there is housing market uncertainty. It is therefore important that the SPD is used as a guide rather than requirements which should be explicitly met in order to provide sufficient flexibility for applicants to reflect the characteristics of individual sites and their location as well as technical and viability issues and ultimately the delivery of affordable homes, ecological and environmental gain and associated infrastructure.	Noted. Additional clarification has been added at 1.3 to the effect that the SPD provides guidance on good practice and is not a design standard.
Belmont Parish Council	It will be of great value and interest that you intend to quantify the impact of development on trees. Some retrospective quantification would be of value also, to set a target for future plantings.	It would be difficult to establish levels of historic loss of trees to development across the county and is beyond the scope of this SPD. We will look at monitoring the effects of development on trees once the SPD is adopted.
Belmont Parish Council	The Parish Council suggest that developers should produce and fund management plans for maintenance of trees and this should be highlighted in the SPD.	Policy 29 (Sustainable Design) requires that landscape proposals should (k) make adequate provision for maintenance and long term management, this is referenced in 6.3 of the SPD. The need for management plans is further referenced in

		the SPD in 5.5, 6.113 – 6.115
Durham University	The default position in relation to demolition and construction activities being outside of the RPA of trees and hedges to be retained is noted and supported in principle. However, the SPD should allow sufficient flexibility to allow for a more tailored approach to development in locations where development is more tightly constrained, for example allowing for hand dug or no dig solutions.	The SPD follows the advice given in BS5387 (2012) which does allow for the flexibility described. This is referenced in paragraphs 3.34, 3.35, and 3.53-3.55.
Taylor Wimpey c/o	SPD should be updated to conform with requirements outlined in the DCC Planning Validation Requirements (Feb 2023) in respect of Section 3 of the SPD.	Section 3.11 has been revised to reflect the validation requirements set out in 3.5.
John Ashby, City of Durham Trust	The process outlined is excellent.	The Council notes the response.
John Ashby, City of Durham Trust	Failure of planning applications progressing from the first stage where only the initial arboriculturist assessment is submitted, needs to be identified.	The wording of 3.6 has been amended to reference the need for full AIA. Additional text has been added at 3.48
John Ashby, City of Durham Trust	In addition, the visual alterations caused by proposed tree work and development need to be presented where the tree setting is crucial to making decisions based on impact.	Additional text has been added at para 4.9, 4.33 and 4.46
John Ashby, City of Durham Trust	As the economic benefit of ecological services becomes more recognised, so should trees be regarded as having identifiable economic value as part of that analysis. This would only be in relation to more significant developments where often the job and financial benefits of schemes are automatically taken as overriding other environmental and sustainability concerns.	Noted. It can be difficult to establish the economic value of trees. In the case of publicly owned amenity trees the CAVAT method – Capital Asset Value for Amenity Trees - is widely used and considered robust. Reference has been added at para. 4.16
Michael Preston, resident of Seaham	The loss of trees and replanting of trees needs greater importance and action taken by DCC, particularly at Seaham.	We agree that long term retention of trees woodlands and hedges that are secured in

		<p>development schemes is important. This is best achieved by requiring a Management Plan as part of the permission which provides for retention / replacement of landscape features which can then be enforced. Policy 29 (k) requires that developers make appropriate provision for maintenance and long term management. The SPD references the need for full details of management and maintenance in perpetuity for Public Open Space in 6.5 and the need for long-term Management Plans for Public Open Space and structural landscaping in 6.105. It also references the need for management for 30 years where planting forms part of the requirements of Biodiversity Net Gain assessment. It is considered that this may not be construed to cover other trees in public realm landscaping of the type in the case highlighted. The text has been modified at para. 6.105 to capture this issue.</p>
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Mr A Shanley, City of Durham Parish Council	Welcome all the proposals under the SPD.	The Council notes the response.
Mr A Shanley, City of Durham Parish Council	Parish Council note that the Council have declared an Ecological emergency since this draft was produced and expect it to be referenced in the revision stage.	Reference to the Ecological Emergency has been added at para. 1.26
Mr A Shanley, City of Durham Parish Council	It is of great value and interest that you intend to quantify the impact of development on trees. Some retrospective quantification would be of value also, to set a target for future plantings.	It would be difficult to establish levels of historic loss of trees to development across the county and is beyond the scope of this SPD. We will look at monitoring the effects of development on trees once the SPD is adopted.
Mr A Shanley, City of Durham Parish Council	Suggest that developers should produce and fund management plans and preferably provide DCC with a revenue stream for 25 years, to support such maintenance.	<p>Policy 29 (Sustainable Design) requires that landscape proposals should (k) make adequate provision for maintenance and long term management, this is referenced in 6.3 of the SPD. The need for management plans is further referenced in the SPD in 5.5, 6.105 – 6.107.</p> <p>Paragraph 5.261 in the CDP outlines where new open spaces are provided, the council will expect the developer to maintain them for a minimum of 12 months following practical completion. Following this, the council may be prepared to adopt the</p>

		land, providing it meets the required standard. A commuted sum for maintenance, calculated on the basis of typical maintenance costs per square metre for a 15-year period, will be payable. Alternatively, the developer may utilise a management company.
Theakston Land	Section 3 conflicts with DCC Planning Validation Requirements (Feb 2023). The SPD should be updated to conform with the requirements outlined in the recently published Planning Validation Requirements.	Section 3.11 has been revised to reflect the validation requirements set out in 3.5.

Q4. Do you have any comments on the Council's proposed approach to avoiding and reducing impacts on existing features?

Respondent	Comments	DCC Response
Belmont Parish Council	There is a definite need to have some sort of structure about how to avoid and reduce impact of development. The mitigation hierarchy "avoid" "reduce" "compensate" is a useful brief checklist to have at the forefront of decisions and planning. The measures outlined here are comprehensive and positive.	The Council notes the response.
Durham University	15m buffer from the boundary of trees & woodland seems excessive if taken from edge of tree canopy. Natural England and Forestry Commission advice is a buffer should be 15 times larger than the diameter of the tree or 5 metres from the edge of the tree's canopy, whichever is greater, so boundary of woodland should be defined, and consideration given to aligning with the Natural England and Forestry Commission advice.	<p>The SPD directly reflects Natural England and Forestry Commission advice for ancient woodland which is that:</p> <p><i>... the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland. . .</i></p> <p>This is dealt with in 4.26 of the SPD as follows.</p> <p><i>The buffer zone should be at least 15m from the boundary of the woodland . . .</i></p>

		<p>Both refer to the woodland boundary which would generally be taken to be the boundary fence rather than the canopy edge.</p> <p>Additional wording has been added to 4.26 for clarification.</p>
Richard Hornby, Gilesgate Residents Association	There is a definite need to have some sort of structure about how to avoid and reduce impact of development. The mitigation hierarchy “avoid “reduce “compensate “is a useful brief checklist to have at the forefront of decisions and planning. The measures outlined here are comprehensive and positive.	The Council notes the response.
John Ashby, City of Durham Trust	Generally, this is sound and a thorough outline of the requirements.	The Council notes the response.
John Ashby, City of Durham Trust	The broader scope of impact on green infrastructure and heritage settings needs to be reinforced.	Additional text has been added at para 4.9, 4.33 and 4.46
John Ashby, City of Durham Trust	In considering compensation, often proposals are restricted to limited identification of existing features and relatively minor enhancement. A wider contextual approach would result in better targeting and higher impact for mitigation.	Text has been added to 4.17, 4.43 and 4.55 to capture this issue.
John Ashby, City of Durham Trust	Indicating known resources that map existing assets would be valuable, including those held by the County Council.	Mapping existing assets would be difficult within the SDP due to the complexity of the assets and the difficulty of producing maps at a meaningful scale. Some assets are mapped on the interactive CDP Policies Map and some interactive maps are available on the Durham Landscapes website which is referenced elsewhere in the SPD. Consideration is being given to adding additional layers to the maps accessible through the Council’s main website.

Mr A Shanley, City of Durham Parish Council	There is a definite need to have some sort of structure about how to avoid and reduce impact of development. The mitigation hierarchy “ avoid “ reduce “ compensate “ is a useful brief checklist to have at the forefront of decisions and planning. The measures outlined here are comprehensive and positive.	The Council notes the response.
Mr A Shanley, City of Durham Parish Council	With regard to non-woodland trees, City of Durham Parish Council would query whether the wording in NPPF and CDP Policy 40 could be strengthened: at present, the statements are that ‘new development would not be permitted what would result in the loss of, or damage to, such trees unless the benefits of the proposal clearly outweigh the harm’ and that ‘proposals for new development will be expected to retain existing trees where they can make a positive contribution to the locality or to the development.’ These are rather vague, qualitative statements which an unscrupulous developer would be able to present arguments to counter.	It is not within the scope of the SPD to alter the wording in the NPPF and CDP Policy 40.
Mr A Shanley, City of Durham Parish Council	City of Durham Parish Council would also request clarification on where the proposed 15 metre buffer starts from the tree e.g., is it from the crown?	<p>Natural England and Forestry Commission standing advice is that for ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland. This is repeated in 4.26 of the SPD.</p> <p>Both refer to the woodland boundary which would generally be taken to be the boundary fence rather than the canopy edge.</p> <p>Additional wording has been added to 4.26 for clarification.</p>

Q5. Do you have any comments on the Council's proposed approach to integrating existing features into new development?

Respondent	Comments	DCC Response
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Bellway Homes Limited	With regards to Section 5 and integrating existing landscape features into new development, Bellway would request the Council to remain flexible in light of any specific site circumstances and allow developers to explore alternative options if justified.	Additional clarification has been added at 1.3 to the effect that the SPD provides guidance on good practice and is not a design standard. The text of this section has been amended at para (5.10 and 5.14 to give greater flexibility.
Belmont Parish Council	It is vital to find ways of integrating existing features into new developments. Hedges can form useful barriers for existing properties nearby new developments, and it is a positive move to see that hedges will also be afforded protection and enhanced care. Sections 5.3 to 5.5 recognise the possible conflict between trees and residents, and it is heartening to note that this fact is recognised, and planting should take it into account at the planning stage.	The Council notes the response.
Mr Richard Hornby, Gilesgate Residents Association	It is vital to find ways of integrating existing features into new developments. Hedges can form useful barriers for existing properties nearby new developments, and it is a positive move to see that hedges will also be afforded protection and enhanced care. Sections 5.3 to 5.5 recognise the possible conflict between trees and residents, and it is heartening to note that this fact is recognised, and planting should take it into account at the planning stage.	The Council notes the response.
Taylor Wimpey c/o	The SPD should include some flexibility to acknowledge that a completely active frontage is not always necessary along an existing woodland to achieve the aims set out in respect of Section 5, para 5.2.	Wording of 5.10 has been amended to accommodate a wider range of alternatives
Taylor Wimpey c/o	Existing Hedges Figure 26 illustrates an example of how a hedgerow can be retained in open space. Although this is helpful, the SPD should be clear that this is indicative and planning applications should set out how high value hedgerows are to be retained in developments where appropriate.	The title of Figure 26 has been amended to 'Indicative example of a hedge retained in the public realm with active frontage' and the text of 5.14 amended to accommodate a wider range of alternatives.

John Ashby, City of Durham Trust	Reference to other initiatives and policy would be of assistance. This would include Design Codes and policies such as that contained in the DCNP.	Reference has been added at 1.16 and 1.26 to the National Design Code, National Design Guide and the Council's Design Code SPD. Reference has been made at 1.25 to the relationship with Neighbourhood Plans.
John Ashby, City of Durham Trust	The inclusion on SuDS areas is most welcome. However, it misses a current problem with submissions where applicants fail to distinguish between SuDS as damp areas, intermittent overflows or open water. A note on the need to identify function in relation to successful planting would be useful.	Additional information on SuDS is given in 6.81 to 6.87. Additional text has been added.
John Ashby, City of Durham Trust	There is substantial collective value in the 'ordinary' as well as the exceptional existing tree assets. The same is true of hedgerows. Management of the 'ordinary' in positive ways should be stressed. When applications are submitted and the ownership includes such assets they should be drawn into the application under landscaping proposals for management where reasonably justified as nearby or relating to the development. Owners of such assets should take responsibility for their management.	Additional text has been added to 4.17, 4.43 and 4.55 to capture this issue.
Mr A Shanley, City of Durham Parish Council	It is vital to find ways of integrating existing features into new developments. In particular, hedges can form useful barriers for existing properties nearby new developments, and it is a positive move to see that hedges will also be afforded protection and enhanced care. Sections 5.3 to 5.5 recognise the possible conflict between trees and residents, and it is heartening to note that this fact is recognised, and planting should take it into account at the planning stage. Particularly of course, the siting of trees in areas of functional open space rather than in private gardens. It also makes great sense, that hedges should be retained within the public realm so that they can be managed properly as a single entity.	The Council notes the response.

Theakston Land	Section 5 'Integrating Features into New Development Existing Trees' para 5.2 principle cannot be applied to all existing trees on site, only those that have been identified for retention following the tree survey and assessment process described earlier in the SPD.	The text of 5.2 has been amended to clarify this.
Theakston Land	The SPD should include some flexibility to acknowledge that a completely active frontage is not always necessary along an existing woodland to achieve the aims set out.	The wording of 5.10 has been amended to accommodate a wider range of alternatives
Theakston Land	The SPD should be clear that this is indicative and planning applications should set out how high value hedgerows are to be retained in developments where appropriate.	The title of Figure 26 has been amended to 'Indicative example of a hedge retained in the public realm with active frontage' and the text of 5.14 amended to accommodate a wider range of alternatives.

Q6. Do you have any comments on the Council's proposed approach to new planting?

Respondent	Comments	DCC Response
James Johnson, Avant Homes (North East)	<p>AHNE object to paragraph 6.2 and 6.46 in strongly seeking to add the specific wording to include <u>wherever feasible and subject to being viable and where appropriate in design terms</u> in paragraphs 6.2 and 6.46 in respect of the <u>requirement to provide Street trees should generally be provided on both sides of the road; or for the requirement for trees to be planted on both sides of the street to be removed entirely</u>. Requiring trees on both sides of all streets provides an obstacle to house building and failure to amend these paragraphs would fundamentally change the approach to the street hierarchy for proposals in the County and AHNE hereby object to this requisition in the SPD.</p>	<p>The wording of para. 6.2 has been amended to qualify that development should seek to maximise tree planting, wherever feasible and appropriate to the design of the development. We do not consider it necessary to add specific qualifications about viability as we understand them to be covered by the general term 'feasible'.</p> <p>The SPD does not require tree planting on both sides of all streets. The reference to tree planting being generally provided on both sides of the street only applied to Principal or Main Streets. In the SPD the council is using the street typologies selected</p>

		<p>in Streets for a Healthy Life (SFHL) for ease of reference to that document.</p> <p>There may differences in understanding about how different types of street sit within the hierarchy.</p> <p>Principal or Main Streets so defined rarely feature in housing sites in County Durham which are generally of a modest size and accessed off existing Principal Streets via Secondary Streets.</p> <p>The Council understands that street trees require space and that this has implications for other aspects of design and viability. The SPD gives advice on how trees can be accommodated at different levels of the hierarchy in a manner which the council considers appropriate, proportionate and consistent with best practice while allowing considerable flexibility.</p> <p>The wording of this section has been amended to give greater clarity on the terminology for the road hierarchy taken from SFHL. It has also been amended to read more clearly as guidance rather than prescription to give greater flexibility.</p>
Bellway Homes	Section 6 of the Tree SPD outlines the Council's expected approach to new landscape planting in developments. With regards to planting of street trees, it is accepted that the	The wording of this section has been amended to give greater flexibility including reference to different patterns

	<p>NPPF now requires planning policies and decisions to provide tree-lined streets.</p> <p>Paragraph 6.46 of the draft SPD suggests the approach to principal/main streets tree planting and indicates that street trees should generally be provided on both sides of the road within the public realm and typically in broad verges of soft or hard landscaping (depending on the character of the area) between the highway and footpaths or cycles ways. It is important that flexibility remains with regards to adoption responsibility of the principal highway verge. Suggests a zig-zag approach to planting street trees within a landscape verge.</p>	of trees such as those suggested.
Belmont Parish Council	In the section on weed control there is no mention of the type of control favoured other than mentioning mulches. This would be a perfect opportunity to ban the use of glysohates around the base of trees and alongside hedges.	It is beyond the scope of the SPD to ban the use of herbicides.
Belmont Parish Council	The SPD should highlight that developers should produce and fund management plans for long-term maintenance of trees and open-space development.	Policy 29 (Sustainable Design) requires that landscape proposals should (k) make adequate provision for maintenance and long term management, this is referenced in 6.3 of the SPD. The need for management plans is further referenced in the SPD in 5.5, 6.113 – 6.115.
Taylor Whimpey c/o	The SPD should recognise that there is often a conflict between the ability to provide a layout that is appropriate from a highways, landscape, and drainage. To strictly require street trees across all street types along with all other requirements for the space alongside roads would have significant implications on the width and associated land-take of these streets which would have severe viability implications on residential developments and compromise urban design.	<p>Additional clarification has been added at 1.3 to the effect that the SPD provides guidance on good practice and is not a design standard.</p> <p>The SPD recognises at para.6.44 the multiple factors which need to inform the design of streets and the siting and specification of trees. Additional wording</p>

	<p>The SPD should be amended to confirm that these will only be required on primary streets in consultation with the Councils highways and drainage teams and in any other locations where feasible.</p>	<p>from NPPF has been added to add emphasis to this issue.</p> <p>NPPF requires that planning policies and decisions should ensure that new streets are tree-lined. It does not distinguish between primary or principal streets and streets lower in the hierarchy.</p> <p>In the SPD the council is using the street typologies selected in Streets for a Healthy Life (SFHL) for ease of reference to that document.</p> <p>There may differences in understanding about how different types of street sit within the hierarchy.</p> <p>Principal or Main Streets as described in SFHL and this SPD rarely feature in housing sites in County Durham which are generally of a modest size and accessed off existing Principal Streets via Secondary Streets.</p> <p>SFHL advises that trees should typically feature in all levels of the street hierarchy. The Council nevertheless understands that street trees require space and that this has implications for other aspects of design and viability. The SPD gives advice on how trees can be accommodated at different levels of the hierarchy in a manner which the council considers appropriate, proportionate and consistent</p>
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		<p>with best practice while allowing flexibility.</p> <p>The wording of this section has been amended to give greater clarity on the terminology for the road hierarchy taken from SFHL. It has also been amended to read more clearly as guidance rather than prescription to give greater flexibility.</p>
John Ashby, City of Durham Trust	A helpful section but cross referencing against other SPDs and initiatives would be useful. This would include the Parking and Accessibility SPD.	The Council will develop an SPD website where all SPDs will be mapped.
John Ashby, City of Durham Trust	At the wider scale, the role of trees in relation to catchment level flood mitigation and prevention is becoming of greater importance . This could be highlighted more under Page 82.	This section deals specifically with tree planting and SuDS at the site level. Additional text has been added at 6.98 to capture the potential of woodland creation at the wider landscape scale to meet flood prevention / attenuation objectives.
John Ashby, City of Durham Trust	Priorities for new woodland planting Para 6.89. Additionally, the role of urban trees can be stressed in relation to flood prevention and mitigation outside of SuDS areas.	Para 6.89 (now 6.97) sets out the priorities for new woodland planting given in the County Durham Landscape Strategy. Additional text has been added to clarify and additional text has been added to 6.98 to capture flood prevention/ mitigation priorities.
John Ashby, City of Durham Trust	There are references to the need for ongoing management, but the Trust considers that this should be emphasised as being as important as planting on the first instance. Funding and agreement of responsibility for street trees is seen as an issue.	Policy 29 (Sustainable Design) requires that landscape proposals should (k) make adequate provision for maintenance and long term management, this is referenced in 6.3 of the SPD.

		<p>The need for management plans is further referenced in the SPD in 5.5, 6.105 – 6.107.</p> <p>Paragraph 5.261 in the CDP outlines where new open spaces are provided, the council will expect the developer to maintain them for a minimum of 12 months following practical completion. Following this, the council may be prepared to adopt the land, providing it meets the required standard. A commuted sum for maintenance, calculated on the basis of typical maintenance costs per square metre for a 15-year period, will be payable. Alternatively, the developer may utilise a management company.</p> <p>Management responsibility for street trees varies depending on whether the trees are included within, or excluded from, the area of adopted highway.</p>
Mr A Shanley, City of Durham Parish Council	We applaud the landscaping proposals referenced in CDP Policy 29.	The Council notes the response.
Mr A Shanley, City of Durham Parish Council	Note that in the section on weed control there is no mention of the type of control favoured other than mentioning mulches and weed control fabrics. This would be a perfect opportunity to ban the use of glyphosate around the base of trees and alongside hedges.	It is beyond the scope of the SPD to ban the use of herbicides.

Mr A Shanley, City of Durham Parish Council	The Parish Council emphasise the future impact of climate change and the need to take the increase in storms, the hotter weather and increased rainfall into account when selecting tree species. Note with approval that DCC would consider non-native trees as appropriate within the urban landscape, to increase biosecurity and resilience to climate change impacts. The Parish Council agree with the imperative to source native trees locally.	The Council notes the response.
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Mr A Shanley, City of Durham Parish Council	In new developments, the modern requirements of the future occupiers should be considered. These have an impact on the green infrastructure and similarly that would impact on TV, satellite, solar panels, and overhead cabling. Where possible, without damaging root systems, cables should be laid underground and overhead accoutrements be monitored.	Noted. Additional text has been added to 5.3. It is generally the case in modern developments that services are installed underground.
Mr A Shanley, City of Durham Parish Council	The Parish Council again mention the need for a long-term management plan to ensure maintenance and care of public open space development. There is no mention about how this could be funded and again urge that the developers provide DCC, which has the expertise but probably not the resources, to carry out such a plan, with sufficient funds to do this.	<p>Policy 29 (Sustainable Design) requires that landscape proposals should (k) make adequate provision for maintenance and long term management, this is referenced in 6.3 of the SPD. The need for management plans is further referenced in the SPD in 5.5, 6.113 – 6.114.</p> <p>Paragraph 5.261 in the CDP outlines where new open spaces are provided, the council will expect the developer to maintain them for a minimum of 12 months following practical completion. Following this, the council may be prepared to adopt the land, providing it meets the required standard. A commuted sum for maintenance, calculated on the basis of typical</p>

		<p>maintenance costs per square metre for a 15-year period, will be payable. Alternatively, the developer may utilise a management company.</p> <p>The most common approach currently is for developers to utilise a management company where resources are secured by annual payments from residents of the new dwellings</p>
Theakston Land	<p>The SPD should recognise that there is often a conflict between the ability to provide a layout that is appropriate from a highways, landscape, and drainage perspective, especially the implementation of SuDS, whilst also providing street trees. The SPD should be amended to confirm that these will only be required on primary streets in consultation with the Councils highways and drainage teams and in any other locations where feasible.</p>	<p>Additional clarification has been added at 1.3 to the effect that the SPD provides guidance on good practice and is not a design standard.</p> <p>The SPD recognises at para.6.44 the multiple factors which need to inform the design of streets and the siting and specification of trees. Additional wording from NPPF has been added to add emphasis to this issue.</p> <p>The council does not believe there is a necessary conflict with the implementation of SuDS where these are properly designed.</p> <p>In the SPD the council is using the street typologies selected in Streets for a Healthy Life (SFHL) for ease of reference to that document.</p> <p>There may be some differences in understanding about how different types of street sit within the hierarchy.</p>

		<p>Principal or Main Streets as described in SFHL and this SPD rarely feature in housing sites in County Durham which are generally of a modest size and accessed off existing Principal Streets via Secondary Streets.</p> <p>SFHL advises that trees should typically feature in all levels of the street hierarchy. The Council nevertheless understands that street trees require space and that this has implications for other aspects of design and viability. The SPD gives advice on how trees can be accommodated at different levels of the hierarchy in a manner which the council considers appropriate, proportionate and consistent with best practice while allowing flexibility.</p> <p>The wording of this section has been amended to give greater clarity on the terminology for the road hierarchy taken from SFHL. It has also been amended to read more clearly as guidance rather than prescription to give greater flexibility.</p>
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Q7. Do you have any comments on the Council's proposed approach to Tree Preservation Orders and trees in Conservation Areas?

Respondent	Comments	DCC Response
Belmont Parish Council	We welcome the stringent regulations relating to TPOs and the clarification that this provides.	The Council notes the response.

John Ashby, City of Durham Trust	Another helpful section.	The Council notes the response.
John Ashby, City of Durham Trust	Is there scope for relating it (the SPD) to forthcoming conservation area management plans?	The SPD will be taken into account in the preparation / review of Conservation Area Management Plans
Mr A Shanley, City of Durham Parish Council	We welcome the stringent regulations relating to TPOs and the clarification that this provides.	The Council notes the response.
Mr A Shanley, City of Durham Parish Council	Will new trees planted as part of developments or to line streets be automatically protected with a TPO?	No. TPOs are only placed on trees where it is considered expedient – for example where there is a known threat to trees of high amenity value. It is not considered to be an appropriate mechanism for dealing with newly planted trees in new development. Trees in the public realm in developments of any significant scale should be covered by long term management plans which provide for their retention.
Mr A Shanley, City of Durham Parish Council	Does DCC have sufficient resources to ensure enforcement and monitor recompense in cases where a TPO has been ignored and work fatally carried out without the council's knowledge?	Yes. If TPO trees are felled without consent, the Council will take appropriate action.
Mr A Shanley, City of Durham Parish Council	The appendices on methods of tree management, ask die back, the list of native trees and the glossary were all very interesting, informative, and useful.	The Council notes the response.

Q8. Do you have any other comments?

Respondent	Comments	DCC Response
James Johnson,	AHNE note that the example images of street trees in the SPD mainly appear to be in locations which have	Photographs have been replaced with

Avant Homes (North East)	higher values than many parts of County Durham including places such as York (Figure 32), Poundbury (Figure 33) and Cambridgeshire (Figure 36). Whilst it is interesting to see how other areas have integrated street trees it is important to recognise that these solutions may well not be viable in many parts of County Durham.	examples from County Durham
Matthew Wright, Durham University	Durham University also suggests that the SPD should seek for planned swales / SUDS to include some semi-permanent standing water in their bases which would assist in reaching new wetland targets, with little impact elsewhere and prevent them ending up as low amenity grassland.	The SPD covers Trees, Woodlands and Hedges, and does not cover SuDS other than in respect of tree planting.
Natural England	<u>Creation of diverse woodland habitats & natural colonisation</u> Natural England would like to highlight the importance of ensuring that new tree cover on a landscape scale includes a diversity of different types of woody habitat such as field boundary trees, hedgerows, scrub, and wood pasture & parkland.	Noted. Additional text has been added at 6.93.
Natural England	Another opportunity to consider adding to this list is 'natural colonisation'. In developments where larger new woody habitats are created, natural colonisation from a nearby native seed source is an asset for nature recovery. Natural colonisation ensures that seed is of local provenance and therefore site adapted and thus more likely to successfully establish in the first instance. Local provenance seed of native species also tends to be of higher genetic diversity than that available through nurseries, which fosters resilience to environmental stressors. The phenology of trees of local provenance is also more compatible with local fauna & flora. The process of natural colonisation ensures vertical and age structure diversity and in turn creates niche diversity.	Additional text added at para 6.94.
Natural England	<u>Right tree right place</u> Natural England advises that Section 6.13 in this SPD, which mentions 'right tree right place' is elaborated and expanded to include the 6 principles of Right Tree Right Place (RTRP) as detailed in Appendix A to this document. Natural England highlight the importance of principle 1, 'check for existing interest and restoration potential' as close collaboration with the forestry commission and other partners is in place to ensure that priority habitat, priority species (especially	Additional text has been added at 6.93 to reference NE's six principles.

	breeding waders), peat and designated sites are protected in the context of woodland creation. This can help to ensure that these constraints are identified as early as possible in the woodland design process to avoid showstoppers only coming to light at the Forestry EIA stage.	
Natural England	<p><u>The Tree Action Plan</u></p> <p>Delivery team provide advice from the early/informal stage of planning for woodland creation or tree planting to advise on achieving RTRP and UK Forestry Standard compliance. For woodland creation proposals, this will ease customers way through the Forestry EIA process as well as support proposals to contribute to delivering the nature recovery objectives set out in the England Tree Action Plan 2021-2024 and Government's 25-year Environment Plan.</p>	The Council notes the response.
Natural England	<p><u>Green Infrastructure</u></p> <p>This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.</p> <p>The National Planning Policy Framework states that local planning authorities should 'take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure'. The Planning Practice Guidance on Green Infrastructure provides more detail on this. In addition, Natural England would like to draw the council's attention to the Green Infrastructure framework which was launched on the 31st of January 2023. Please consult the Introduction to the Green Infrastructure Framework – Principles and Standards for a full overview of the framework.</p> <p>Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.</p> <p>There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:</p>	This is a Trees, Woodlands and Hedges SPD, not Green Infrastructure SPD. It covers trees woodlands and hedges as components of GI but other aspects of GI are beyond its scope.

	<ul style="list-style-type: none"> • green roof systems and roof gardens; • green walls to provide insulation or shading and cooling; • new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity). <p>Natural England also suggest issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans.</p> <p>Further information on GI is include within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".</p>	
Natural England	<p><u>Biodiversity enhancement</u></p> <p>This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p>	There will be a forthcoming Biodiversity SPD and this will sit more naturally within that SPD.
Natural England	<p><u>Landscape enhancement</u></p> <p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p>	Noted. The SPD references the County Durham Landscape Character Assessment, County Durham Landscape Strategy and County Durham Landscape Guidelines.

Natural England	For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed to do so, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.	The SPD references the benefits of large trees in 2.13 and 4.18. Succession planting is referenced in 5.7.
Natural England	<p><u>Other design considerations</u></p> <p>The NPPF includes several design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 180).</p>	This is beyond the scope of this SPD.
Natural England	<p><u>Strategic Environmental Assessment/Habitats Regulations Assessment</u></p> <p>An SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	This SPD does not require a Strategic Environment Assessment or Habitats Regulations Assessment.