

# Trees, Landscaping and Development SPD

## SCOPING REPORT

September 2018



## **1. Introduction**

- 1.1 This scoping report acts as an opening consultation paper to discuss the relevant issues and potential requirements for a Trees, Landscaping and Development SPD for Newcastle upon Tyne. It will form the initial stage of the process towards developing an SPD, setting out the scope and policy approach.
- 1.2 Trees are a notable part of existing and potential landscapes and the benefits of trees, woodlands and hedges have long been acknowledged. Trees and landscaping are a cost-effective way to improve the environmental quality of a city by, delivering physical, social and economic well-being. Trees and landscaping help mitigate and adapt to the effects of climate change, manage flood risk, improve surface water management, air quality, biodiversity and the visual amenity of an area. Planning for the future is key to having resilient cities which are sustainable places to live.
- 1.3 Design is not simply a matter of giving due care and attention to the built form. For a development the setting and external space is delivered by a combination of hard and soft landscaping which should be integral to the design process. The overall aim of a landscape scheme is to provide an appropriate, environmentally friendly and aesthetically pleasing external environment that enhances or improves the setting of the development and the local character, distinctiveness, wildlife habitats, screening and shelter. The landscaping must maximise the purpose and enjoyment of the spaces around buildings, for people and wildlife and include appropriate and carefully selected combinations of greenery, textures and variety in and around the proposed development. Spaces should be multi-functional; allowing for adaptations to climate change, providing spaces to meet, routes and access, designed for safety, access for all, informal surveillance and addressing the stresses and pressures of the development site and the wider urban environment. Provision must also be made for the long-term management and for regular day-to-day maintenance, particularly during the first few years of establishment.

## **2. Policy context**

The Trees, Landscaping and Development SPD would support and is directed by a number of national and local planning policies.

### **National Planning Policy Framework**

- 2.1 The National Planning Policy Framework (NPPF) published in July 2018 sets out the Government's planning policies for England. It has a presumption in favour of sustainable development. A core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution. The NPPF contains a range of policies which promote sustainable development, by requiring good design, promoting healthy communities, meeting the challenge of climate change and flooding and enhancing and conserving the natural and local environment. Planning policies and planning decisions should recognise the wider benefits from natural capital and ecosystem services including the economic and other benefits of trees and woodland.

## Planning Practice Guidance

- 2.2 In addition to the NPPF, the Planning Practice Guidance (PPG) was published in March 2014. The online guidance provides more clarity on the interpretation of the NPPF and makes planning guidance more accessible. The guidance focuses on the areas which are relevant to this SPD

## Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne. 2010 2030 (CSUCP).

- 2.3 The CSUCP, adopted in March 2015 recognises the importance of green infrastructure and the natural environment. Policy CS18 of the CSUCP seeks to protect, enhance and manage green infrastructure assets, which include biodiversity assets, designated wildlife sites, wildlife corridors, priority habitats and species, distinctive landscape character and trees, woodlands and hedgerows. Paragraph 12.51 of the Core Strategy makes reference to trees and hedgerows:

*'Woodlands, trees and hedgerows, including street trees and listed trees in urban areas, are important for the attractiveness of our area as well as being a key component of ecosystems. They contribute to cooling and shading in urban areas and to linkages in the Green Infrastructure Network. Tree Preservation Orders and Conservation Area designations protect many of the most important assets. There will be a presumption in favour of the retention, protection, and enhancement of woodlands, trees and hedgerows, as well as, where appropriate, additional provisions by new developments.'*

- 2.4 The Trees, Landscaping and Development SPD supports other policies contained within the CSUCP. Policy CS14 on wellbeing and health, seeks to ensure residents have access to green and open space, such areas are valued by residents and can contribute to the quality of life. Provision of opportunities for outdoor recreation contribute to physical and mental wellbeing. CS15 requires good place-making and delivery of high quality and sustainable design. CS16 on climate change, requires landscaping measures to minimise energy design. CS17 on flood risk and water management requires development to secure through sustainable drainage multifunctional benefits to water quality, green space and habitat enhancement.

## Pre- Submission Development and Allocations Plan (DAP) 2015-2030

- 2.5 The DAP includes further detailed policies to protect and enhance green infrastructure assets and the natural environment. Policy DM28 specifically refers to trees and landscaping, it requires development to protect, enhance and manage existing trees and landscaping. It recognises the wide range of environmental, economic, social, health and climatic benefits that can be achieved through the protection of existing and planting of new landscaping and trees.
- 2.6 In addition, Policy DM27 requires development to protect, maintain and enhance existing green infrastructure assets and contribute towards the delivery of new green infrastructure assets. There are various ways green infrastructure can be incorporated into development proposals, for example, through the inclusion of open space and recreational area, planning of new trees and landscaping such as hedge rows, green walls and green roofs. DM29 Protecting and Enhancing Biodiversity and Habitats is also important as it seeks to ensure biodiversity and habitats are protected and net gains in biodiversity are achieved by retaining natural features such as trees and landscaping

and creating and restoring habitats. Policy DM26 on flood risk and water management recognises the importance of trees and landscaping to help mitigate flood risk and manage surface water on development sites.

### **Trees Newcastle – Newcastle City Council Tree Policy, 2018-2023**

- 2.7 A Trees, Landscaping and Development SPD will support the council's approach set out in the overarching Trees Newcastle, Newcastle City Council Tree Strategy 2018-2023. This council Strategy provides the framework for trees owned, managed and protected by the council. The strategy sets the principles to protect and care for Newcastle's trees and hedges and plant more trees and hedges. The council's aim to have a sustainable managed and protected, healthy and diverse tree population with sufficient canopy cover to benefit and meet the needs of all who live, work and visit the city

#### **Legislation**

- 2.8 Trees are protected under planning law by the Town and Country Planning (Tree Preservation) (England) Regulations 2012. This allows the council to protect trees on private land with a Tree Preservation Order (TPO) if they have 'good visual amenity value' meaning that they can be seen by the public and add to the quality of the local area. Once a tree has a TPO, planning permission is required before carrying out any work to trees including work to the roots. The legislation also protects all trees with a stem diameter greater than 75mm in conservation areas due to the contribution trees make to the character of conservation areas. If work to the tree is planned, the council requires six weeks' notification prior to any works commencing. The council will place a TPO on the tree(s) if it considers the works will be detrimental to the visual amenity value or health of the trees.
- 2.9 In addition to statutory duties specifically related to trees, Section 40 of the Natural Environment and Rural Communities Act 2006, places a duty on a public authority to have regard, in the exercise of their function, to the purpose of considering biodiversity. The council has also statutory obligations concerning designated wildlife sites and protected species. These all translate into the requirement to plan carefully to ensure there is no net loss of biodiversity through protection and new trees and landscaping contributes to achieving gains for nature.

### **3. The need for an SPD**

- 3.1 Within the landscape trees can often have the greatest impact, with long term benefits however development and construction can damage trees through direct loss, reduction in space for growth and spread, direct damage due to soil compaction or root severance or through contamination. Landscaping is also very important to the environmental quality of an area. Development provides the opportunity to improve the environment by increasing species diversity, ensuring good specification, sourcing and planting. Both establishment and future maintenance is important, so landscaping can reach maturity and remain health its benefits.
- 3.2 The purpose of the Trees, Landscaping and Development SPD is to ensure trees and landscaping are fully considered as part of development proposals. The SPD will provide further guidance and detail on policies within the council's Local Plan. The SPD, will promote best practice for the provision of high quality landscaping within developments. It will seek to ensure good specification for protection of existing site

character and existing landscape assets as well as new landscaping at an early stage in the design process.

### 3.2 The aims of the SPD are:

- Demonstrate clear procedures for the retention and protection of existing landscape features;
- Increase the provision and diversity of landscaping so contributing to the delivery of our Green Infrastructure, Biodiversity and Tree Strategy aims;
- Deliver a wide range of environmental benefits making us resilient and able to adapt to the expected changes in climate in addition to other benefits to health and well-being;
- Use existing and new landscaping to assist in the provision of high quality places for people to live, work, enjoy leisure and which attract inward investment; and
- Maintain distinctive character areas.

3.3 This SPD, once adopted, will be a material consideration when considering planning applications and will be used as part of the assessment of planning applications.

## 4. Scope of the Trees, landscaping and Development SPD

4.1 Preparation of a Trees, Landscaping and Development SPD requires a number of steps set out in Section 6. It is recognised that to prepare an SPD, evidence gathering is required, followed by consultation and other council procedural matters.

4.2 SPDs must relate to a policy in a local plan, therefore, the priority is to ensure that the issue is addressed within a local plan document in the first instance. Whilst this has been done in the case of the Local Plan Part 1 Core Strategy and Urban Core Plan (CSUCP), Policy CS18 and in Part 2 Pre-submission Development and Allocations Plan (DAP) Policy DM28. The Tree and Landscape SPD will provide further detailed tree and landscape guidance to support the implementation and delivery of CSUCP objectives, policies CS18 and DAP policies DM26 Flood Risk and Water Management, DM27 Protecting and Enhancing Green Infrastructure, DM28 Trees and Landscaping and DM29 Protecting and Enhancing Biodiversity and Habitats, see appendix 1 for details.

4.3 The proposed sections of the SPD would address:

- Benefits and contributions trees and landscaping make to environmental quality, improvements to health and wellbeing, economic investment, biodiversity and green infrastructure network delivery in Newcastle upon Tyne;
- Demonstrate a procedure in accordance with the current version of BS5837 for retention and protection of existing landscape features within developments;
- Guidance on design of open space relating to the DAP policies and GI Delivery Framework Plan;
- How tree and landscape aspects of SuDS can be developed;
- Linkage with the Highway Authority's Design and Construction of Roads and Accesses to Adoptable Standards documentation;
- Guidance on specification, sourcing, planting and establishment maintenance of trees and other soft landscaping;
- Replacement planting requirements when BS5837 category A, B or C trees are removed as part of a development; and
- Links to relevant policy regarding trees and landscaping.

## 5. Approach – what evidence is required?

- 5.1 Future planning policies need to be based on robust evidence. At the national level, there is a range of information and reports which summarise the wide range of benefits green space and trees provide individuals and communities and how planning can contribute towards a systematic approach to retain and improve environmental quality. Newcastle is currently undertaking a survey of its canopy cover, tree species composition and give a fiscal measure of the benefits Newcastle's trees provide. This baseline measure of canopy cover should allow ongoing monitoring of the success of our tree retention and planting policies.
- 5.2 Reviewing evidence, policy considerations and case studies from other local planning authorities will assist in the preparation of the tree and Landscape SPD and although approaches are similar, there is variation.

## 6. Next Steps

### 6.1 Consultation

Consultation on the Scoping Report for the Trees, Landscape and Development SPD will last for six weeks from 1 November to 14 December 2018.

Comments can be submitted by email or post to:

- Email: [planningpolicy@newcastle.gov.uk](mailto:planningpolicy@newcastle.gov.uk)
- Post: Newcastle City Council, Planning Policy, Barras Bridge, Newcastle upon Tyne, NE1 8QH,

The council will consider all responses received but please note that the content of the SPD must be clearly linked to policies in Newcastle's Local Plan or based on evidence, although responses without a clear planning link may still be useful in terms of setting general context.

### 6.2 Proposed timescales

Scoping Report	October 2018
Consultation Scoping Report	November 2018
Preparation of draft SPD and evidence	November to January 2019
Draft SPD – Cabinet	January 2019
Consult for 6 weeks	February/March 2019
SEA – sent to consultees	February 2019
Revise SPD considering comments	March 2019
Revised SPD – Cabinet	April 2019
Prepare adoption statement	April 2019
Publish SPD and adoption statement on website	April 2019