

Tree Works

Works to Trees

Trees are protected by conservation area and Tree Preservation Order legislation to retain them for the benefit of all. Effectively, conservation area status grants the same protection to trees as a Tree Preservation Order, with some minor exceptions. Below are some of the most commonly asked questions which may help to explain the process. The council referred to is York City Council.

Do I have to apply for permission to prune my trees?

Under section 211 of the Town and Country Planning Act 1990 you must inform us of your intention to prune, fell, lop, or top any tree in a conservation area. The notification must be in writing, and must detail the tree(s), their location, the reason for the works and the type of works intended. An application form is available.

What does the council do when they have received my notification?

We will send you an acknowledgement for the receipt of your notice. A site visit will be made to assess the proposed works. If we decide the works are not appropriate then a Tree Preservation Order may be made to protect the trees. If we have no objection then we will write back to let you know you can proceed.

Are all my trees protected?

No. You do not need permission if you want to cut down or work on trees less than 7.5 centimetres in diameter (measured 1.5 metres above the ground) or 10 centimetres if you need to thin out the tree to help the growth of neighbouring trees.

Do I always need the council's permission to work on a protected tree?

Yes, except for cutting down or cutting back a tree which is dying, dead, or dangerous, or which is directly in the way of development that is about to start for which detailed planning permission has been granted.

Except in an emergency, you are advised to give City of York Council at least five days' notice before you cut down a protected tree which is dying, dead or dangerous. This is in your interest as you could be prosecuted if the authority thinks you have carried out unauthorised work. It could also decide that you do not have to plant a replacement tree. You must remember, however, that you will remain responsible for your trees and any damage they may cause.

What happens if I carry out works to a tree without permission?

You could be liable to a fine of up to £20,000 if convicted in a magistrate's court for chopping or felling a tree in a conservation area.

Do I have to replace the trees?

Yes, if a tree is removed in a conservation area without permission. It may also be necessary to replace any tree that has died, or is removed because it is dead, dying or dangerous.

What happens if you make a Tree Preservation Order because I want to prune my tree?

Once the tree(s) have been protected by a Tree Preservation Order you will have to make an application or any works you wish to do to the tree. Although we have the authority to refuse works to trees protected by a Preservation Order, you have a right of appeal to the Secretary of State if you are unhappy with our decision.

What does it cost to get the council's permission to cut my trees?

There is no charge for making an application to work on protected trees or a section 211 notification for trees in a conservation area.

What should I do if I see someone cutting a tree?

Even if you are not sure if the tree is in a conservation area, please contact our environment technician, who will be happy to follow up the call. You are not obliged to give your name or address.

How do I find out if a tree is protected or in a Conservation Area?

Contact the environment technician for assistance.

How do I get advice on tree pruning?

We are always happy to discuss the options and best ways of achieving your aims. If you are unclear how much work is needed we suggest you seek advice from a professional. Suitable contractors may be found in the Yellow Pages under 'Tree Works' under two categories:

Tree Surgeons, who carry out pruning and felling works, and Arboricultural Consultants, who provide advice regarding the health and condition of trees. Some companies provide both services. When selecting an appropriate company, it is important to check that they hold relevant insurance for their service whether they undertake work themselves or simply provide advice.