

## BUILDING AND DEVELOPMENT CONTROL COMMITTEE

### TREES

The main value of trees in planning terms is visual amenity. Trees screen unsightly structures and activities, give privacy, soften the hard lines of buildings, and bring colour and contrast into the built-up area. They also reduce carbon dioxide levels, filter and absorb pollution, absorb noise, produce oxygen, and encourage wildlife.

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On Alderney, it is against the Law to destroy a tree. Anyone wanting to remove a tree is required to apply to the Building and Development Control Committee for permission to do so.

The States is concerned about the potential loss of trees anywhere on the Island but especially around the built areas. It actively encourages an increase in the number of trees on the Island, in particular those which are native species. If a tree is permitted to be removed, the Building and Development Control Committee will generally wish to see it replaced either with a native species appropriate to the location, or with planting or landscaping, to mitigate for the loss of the tree's effect.

Applications for the removal of tree(s) will be assessed according to the following criteria:

- ❖ **Amenity value** The importance of the tree in the landscape; its prominence in relation to landform and buildings; the presence of other trees; public visibility.
- ❖ **The condition, age and form of the tree** The removal of trees which are diseased, dying or nearing the end of their life expectancy are likely to be accepted.
- ❖ **The suitability of the tree to its location** Factors such as whether a tree has become too large for its situation and the effect of the tree on adjacent buildings will be taken into consideration.
- ❖ **Historic or rarity value** Significant historical or commemorative importance or whether the tree is of great rarity on the Island will be taken into consideration.

#### Legal context

Building and Development Control (Alderney) Law, 2002, as amended, Section 4(1)(h)

" a person shall not, except under the authority of and in accordance with the conditions of the permission in writing in that behalf of the Committee.... cut down, destroy or attempt to destroy any living tree; and in this paragraph "destroy" includes any action that –

(i) may lead to the death of the tree, or

(ii) may endanger its health or stability, whether by excessive pruning or otherwise;

(iii) cause or permit the cutting down or destruction of any living tree; and in this paragraph "destruction" shall be construed in accordance with paragraph (h).

"tree" means a tree the circumference over bark of which is 19 inches or more when measured at ground level (which means, in the case of sloping ground, the uphill side of the tree).

*N.B. There is no current legislation restricting the height of trees and hedges*