

Detailed guide: Planning applications affecting trees and woodland

Updated: The statement from the National Planning Policy Framework on development resulting in the loss or deterioration of irreplaceable habitats has been updated. The updated statement is under the 'Ancient woodland and the planning system' sub-heading.

Areas of woodland may be material considerations in planning decisions. Trees and woodlands are key components of [green infrastructure](#) and can help create resilient, sustainable places to live in. Management and creation of woodlands can also be promoted through the planning system.

When considering felling trees related to development, consents for tree felling may be required under different regimes, even if a planning application is not needed. These regimes include [felling licences](#) and [Environmental Impact Assessments](#).

The Forestry Commission is a statutory consultee for:

- nationally significant infrastructure projects that could affect forests and woodlands
- conditions on the after-use of minerals sites for forestry

The Forestry Commission is also a non-statutory consultee on development affecting or within 500m of ancient woodland.

Ancient woodland and the planning system

Ancient woodland is an irreplaceable habitat. The National Planning Policy Framework states that:

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists

Advice on how to handle planning applications affecting ancient woodlands is set out in the [Standing Advice on Ancient Woodlands and Veteran Trees](#). You can also read the

[Ancient Woodland and Veteran Trees: Assessment Guide to potential impacts in relation to planning decisions](#)

(PDF, 112KB, 7 pages)

for further support in assessing these applications.

Felling trees on development sites

You need a [felling licence](#) from the Forestry Commission to fell trees, unless an exemption applies. Full planning permissions, where standing trees would impede the approved development, do not need to directly specify the trees to be felled in their application. However, where there's a desire to remove standing trees, and those trees are not, for example, within the approved footprint of a structure to be constructed, then those trees would need to be explicitly referenced in the planning application and permission in order to allow for their legal felling. Don't assume that all trees included within the 'red line' of an application are implicitly allowed to be felled.

Outline planning permission doesn't provide an exemption to the regulations that control tree felling in the Forestry Act 1967. This is because, until the reserve matters have been addressed and discharged by your local planning authority, your development may not proceed. Consequently there's no immediate requirement for the tree felling under the planning consent.

The Forestry Commission will only issue a felling licence if your proposals for tree felling are consistent with good forestry practice as outlined in the [UK Forestry Standard](#). Typically a licence will require restocking (replanting).

Tree Preservation Orders

Other legal controls on tree felling are mainly covered by [tree preservation orders](#) and the [Hedgerow Regulations](#). Both areas of regulation are administered by local planning authorities.

Without planning permission or a felling licence, felling trees may be an offence. That's why it's important to ensure that trees that you wish to remove for development are within the area included for full planning permission. An offence under the Forestry Act (as amended) may lead to a Notice being issued that requires the land to be restocked with trees, and for those trees to be maintained for 10 years. Such a Notice can be issued with or without a prosecution for the offence.

The developer is responsible for ensuring that any necessary permissions, consents and permits are in place when required. If tree felling related to development is carried out without the necessary planning permission or felling permission, this may lead to enforcement action.

Environmental Impact Assessment

The Forestry Commission is the competent authority under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999. Local authorities are the competent authority under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The relationship between the 2 sets of regulations can be complex, so you may need to seek further advice from the Forestry Commission regarding trees and woodlands.

As part of the planning process, the local authority will provide a screening opinion as to whether or not an Environmental Impact Assessment (EIA) is needed under the Town and Country Planning Regulations. If an EIA is not considered under these regulations, you may need consent from us if your proposal includes:

- afforestation
- deforestation (the removal of trees and woodlands)
- forest roads
- forestry quarries

[Find out more about Environmental Impact Assessments.](#)

Further information

The [UK Forestry Standard\(UKFS\)](#) sets out the UK government's approach to sustainable forest management.

The [UK Forestry Standard for planners](#)
(PDF, 166KB, 4 pages)

highlights how those engaged in planning in England can use the UKFS to help inform planning decisions that involve woodlands and forests. This note is intended for planners in England only, although the UKFS covers the whole of the UK.

The UKFS for planners can help by:

- summarising the legislation that affects trees and woodlands
- clarifying the roles of the Forestry Commission and local planning authorities when dealing with woodland cases
- setting an appropriate standard for when woodland management or creation are to be covered by planning conditions or Section 106 agreements

You can also find information about land designations or features that may impact on your proposed development by using:

- the [Land Information Search \(LIS\)](#)
- [MAGIC](#)

Public registers

The register of Grant scheme and Felling applications details grant applications to carry out new planting, and applications for tree felling proposals (except for thinning only), and allows users 28 days to comment on proposals. The register of Environment Impact Assessments details decisions that the Forestry Commission makes about whether proposals will have a significant effect on the environment. Details of the case and our decision at the initial assessment (opinion) are shown. Where our consent to carry out the work is required, details of 2 further stages are displayed.

[Access the Forestry Commission public registers and find out about how the Forestry Commission consults on applications.](#)

When to contact the Forestry Commission

Contact your nearest [Forestry Commission area office](#) for individual advice that's not covered on this page.

For national applications or consultations, [contact our national office.](#)