

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-911
Ein cyf/Our ref JJ/06697/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

18 October 2019

Dear Janet,

Thank you for your letter of 8 October regarding Petition P-05-911 Protect Wales' Ancient Yew Trees and for giving me the opportunity to comment.

Ancient and veteran trees (including Yew trees) are a cultural resource linking people to place, environment and culture, they also provide continuity of habitat in both the rural and urban landscape. Our Woodlands for Wales strategy: <https://gov.wales/woodlands-wales-strategy> sets out the policy approach for the protection of Woodland. Welsh Government recognises ancient woodlands and trees have a vital role in providing a range of ecosystem services.

The strategy makes it clear that the Welsh Government want to see current and historic wooded landscapes protected and individual trees, ancient and veteran trees in our urban areas and countryside are better understood, protected and managed for their cultural significance, aesthetic quality and heritage.

With regard to the protection of ancient Yew trees more generally, Planning Policy Wales 10 (PPW): <https://beta.gov.wales/planning-policy-wales> sets out the land use planning policies of the Welsh Government. PPW is a material consideration in the determination of a planning application. PPW sets out a strong framework for the protection of trees, woodlands and hedgerows; this would apply to the protection of ancient Yew trees.

Paragraph 6.4.26 of PPW states that, *“Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.”*

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Paragraph 6.4.25 states that, “*permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.*”

Furthermore, supporting the above policy framework in PPW, the Town and Country Planning Act 1990 assign Local Planning Authorities (LPA) powers to protect trees, where it is expedient in the interests of amenity by making a Tree Preservation Order (TPO). The principal effect of a Tree Preservation Order (TPO) is to prohibit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of a tree or trees without the consent of the Local Planning Authority.

Trees covered by a TPO may be important to the wider community, although many are located in individual gardens. Members of the public or the tree owner can request the LPA to protect a tree or trees by making a TPO. The decision to make a TPO in relation to a specific tree or trees is entirely a matter for the LPA. Unauthorised works on trees which have a TPO is a criminal offence which can carry substantial fines.

Yours sincerely,



Julie James AC/AM

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