Planning Advice Note

Work to Protected Trees in the National Park

Revised November 2026

This Note explains the circumstances in which consent is or is not needed for works to protected trees in the Park, and how to make notifications of work or applications for consent.

The three types of protection which will be dealt with below are 1. Trees protected by planning conditions 2, Trees in Conservation Areas and 3. Tree Preservation Orders.

Please refer to Planning Advice Note Protection of Trees in the Park for information on how and why we protect trees in the Park.

Is Your Tree Protected?

You can look at the TPO page to check whether your property is within a Tree Preservation Order area or Conservation Area. Otherwise, use the tree enquiry form to find out whether a tree is protected. Please head your letter or email "Tree Enquiry". The form can be emailed or posted to:

Loch Lomond & the Trossachs National Park Authority, Carrochan Carrochan Road, Balloch G83 8EG

Email:planning@lochlomond-trossachs.org

Trees protected by planning conditions

Planning permissions can include conditions relating to tree protection, so please check our planning search for recent and past permission decision notices. If you want to check whether a tree is protected by a planning condition you can use the tree enquiry form. An application to the Park is normally needed for permission to vary or remove a planning condition. Breach of planning conditions may result in enforcement action, including development being stopped.

Trees in Conservation Areas (CA)

Special protection in law is given to trees in Conservation Areas because they add value to the setting, character and amenity of these areas as places of special architectural or historic interest.

Unless the type of works are exempt (see below), written notice of proposed works to trees within conservation areas must be submitted to the Park Authority at least 6 weeks before the works are due to be carried out. This notice period allows us to consider the works, discuss alternatives if appropriate, or to make a TPO if the tree or trees are of particular value and should therefore be retained. Failure to notify the planning authority in this way is an offence.

The Park does not have to respond, but may within 6 weeks consent to the works. If after 6 weeks the Park has not objected, the notified works can proceed within 2 years.

The exemptions from the need for notification and the notification requirements have much in common with those for Tree Preservation Orders, and these are explained below.

Tree Preservation Orders (TPOs)

A Tree Preservation Order ("TPO") prohibits the lopping, topping, cutting down, uprooting, wilful damage (including cutting roots) or wilful destruction to protected tree(s) or woodland without prior formal consent.

Unless the type of works are exempt (see next paragraph), a formal application for consent for the proposed works must be submitted to the Park Authority. Until consent is given, the works cannot proceed.

Exemptions (CA and TPO)

These exist to be used, but not abused. No application or notification should be made for works that can be lawfully done under exemption, but the owner must be prepared to justify the use of exemptions after the event, taking professional advice and retaining prework records as required.

Since the Park's earliest TPOs, the exemptions in TPOs have changed slightly, and it may be necessary to check each Order, but apart from one small difference affecting only statutory undertakers, the TPO and Conservation Area exemptions currently are the same. The main ones are:

- **Risk** – the works must be 'urgently necessary in the interests of safety'. 'Necessary' indicates just enough work to reduce the risk (e.g. a dangerous branch does not justify removal of the whole tree), and where no alternatives exist (e.g. temporarily fencing off an area or parking elsewhere). 'Urgently' indicates that it cannot wait for the duration of an application for consent (typically 2 months). If using this exemption, written notice must be given to the Park as soon as practicable after operations become necessary.

  A decision to remove a tree on this basis should be justified by a suitably qualified professional. The written notice to the Park should include a statement setting out the condition of the tree and why removal is/was urgently needed, preferably including photographs.

- **Nuisance** – this is in the legal sense principally, works necessary to prevent or abate property damage or significant encroachment by roots or branches in neighbouring property. 'Necessary' indicates just enough work to prevent or abate the nuisance. Due to the complexity of the law on this point, the use of this exemption should be restricted to clear-cut nuisance situations where no engineering alternatives exist.

- **Small trees and fruit trees** – consent or notification is not needed for tree works, including removal, if a tree stem is less than 7.5 cm in diameter, measured 1.5 metres above the ground (or 10 cm if thinning to help the growth of other trees), or if pruning a tree being cultivated for production of fruit. Consent is also not needed for removal or works to bushes, shrubs or hedges.

Applying for Consent for Tree Works (Tree Preservation Order)

It is a legal requirement that you –

(a) specify the operations for which consent is sought;
(b) give reasons for carrying out such operations;
(c) identify the protected tree or trees which would be affected by such operations
(d) The protected tree or trees must be identified by means of a map or plan of a size and scale sufficient for the purpose.

Except when the reasons are self-evident, we would normally expect applications to include a report from an appropriate professional justifying the proposed works.

Notifying proposed tree works (Conservation Area)

The notification must be clear about what works are required and must include sufficient particulars to identify the tree. The level of detail required for a TPO application (see above) will satisfy this requirement. Unlike for TPO applications, giving reasons for work is not mandatory but it would be helpful.

Specifications (TPO and CA) - The appendix gives explanations of common pruning types and the appropriate terminology to be used in describing proposed tree works in applications and notifications.

Specifications should be clear and unambiguous, using dimensions, compass directions and distances from reference points. Photographs should be annotated. Applications or notifications for work with vague or imprecise specifications may be rejected or refused. If the Park cannot

understand a proposal, it cannot assess it, approve it or check it afterwards.

Report Unauthorised Works

If you have any concerns that potentially unauthorised tree works are in progress please call the Planning Team on 01389 722024.

Wildlife Legislation

Bats, birds and red squirrels in trees have legal protection and it is an offence to be in breach of the legislation, even for consented works – further guidance is available from NatureScot.

Tree Felling Permission

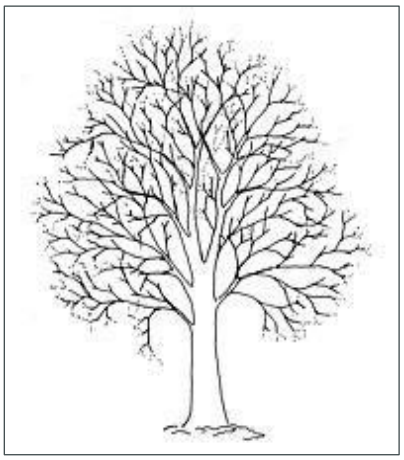
Forestry legislation requires that permission ("Felling Permission") be obtained prior to the felling of 5 or more cubic metres of any timber (outwith a garden, or otherwise exempted) or any felling within a small (0.1- 0.5 ha) native woodland. This is not an alternative to TPO consent or CA notification. See the Scottish Forestry's website for more information.

Further advice

Please contact the planning team at planning@lochlomond-trossachs.org or Tel: 01389 722024 for further advice.

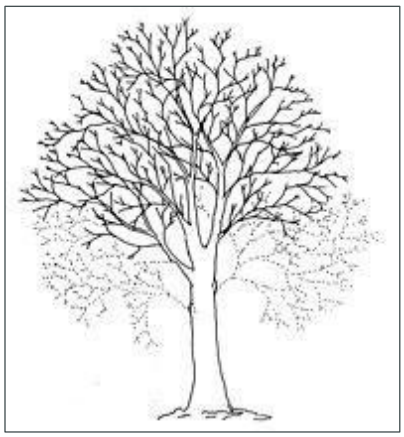
Crown Thin

Crown thinning is the removal of a portion of smaller/tertiary branches, usually at the outer crown, to produce a uniform density of foliage around an evenly spaced branch structure. It is usually confined to broad-leaved species. Crown thinning does not alter the overall size or shape of the tree. Material should be removed systematically throughout the tree, should not exceed the stated percentage and not more than 30% overall. Common reasons for crown thinning are to allow more light to pass through the tree, reduce wind resistance, reduce weight. Its effects are usually temporary and it is rarely a once-only operation. Crown thinning should be specified by percentage of the leaf bearing crown.



Crown Lift or Crown Raise

Crown lifting or raising is the removal of the lowest branches and/or preparing of lower branches for future removal. Good practice dictates crown lifting should not normally include the removal of large branches growing directly from the trunk. Crown lifting on older, mature trees should be avoided or restricted to secondary branches or shortening of primary branches. Common reasons for crown lifting are for increasing light to areas close to the tree or for physical access. It should be restricted to less than 15% of the live crown height and leave the crown at least two thirds of the current total height of the tree. Crown lifting should be specified with reference to a fixed point, e.g. ‘crown lift to give 5.5m clearance above ground level’.



Crown Reduce

Crown reduction is the reduction in height and/or spread of the crown (or a stated part) of a tree. It might be used to reduce mechanical stress on individual branches or the whole tree, to make the tree more suited to its immediate environment or to reduce the effects of shading and light loss. The final result should retain the main framework of the crown, and so a significant proportion of the leaf bearing structure, and leave a similar, although smaller outline.

Crown reductions should be specified by actual measurements, where possible, and reflect the finished result, but may also refer to lengths of parts to be removed to aid clarity, e.g. ‘crown reduce in height by 2 to 2.5m and lateral spread by 1 to 1.5m, all round, to finished crown dimensions of 18 to 19m in height by 10 to 11m in spread.



Illustrations courtesy of the Arboricultural Association.