

Conservation Areas

Conservation areas are “areas of special architectural or historical interest the character or appearance of which it is desirable to preserve or enhance”. Conservation areas are designated by the National Park Authority and are designed to protect buildings and landscape features including trees which contribute to the special character of the area.

Trees in conservation areas that are already protected by a tree preservation order are subject to the normal tree preservation order controls (see earlier information on tree preservation orders). Anyone proposing to cut down or carry out work on a tree over 75mm (or 100mm if the works are to improve the growth of other trees) in diameter measured at 1.5m above ground level in a conservation area is required to give the National Park Authority six weeks’ prior notice. This allows the National Park Authority to consider whether a tree preservation order should be made in respect of the tree. To undertake work to a tree in a conservation area without going through the proper procedure will constitute an offence in the same way as a tree protected by a tree preservation order.

At present the National Park Authority has a rolling programme of designating new conservation areas usually based on villages however a number of large rural conservation areas have also been designated. It is important that you contact the Authority before assuming that you are not in a conservation area and we will be able to give you details about any new designations.

When tree work in a conservation area is being planned, the National Park Authority must be notified. Anyone can notify to undertake work to trees in conservation areas whether they have a legal interest in the land or not. We may ask about the notifier’s legal interest in the trees but we are not responsible for the actions of the applicant who carries out work which he is not legally entitled to do, even though he does so in accordance with the notification procedure.

We keep a register of all notifications and this is available to the public during office hours at Colvend, Grassington.

If a tree is dead, dying or dangerous (DDD rule) then you only need to give the Authority 5 days notice (except in an emergency) that you intend to carry out the works to the tree. However you must provide evidence that this is the case e.g. relevant photographs or a report by a qualified and experienced arboriculturalist. The onus is on you to prove that the tree is dead, dying or dangerous and if you cannot do so, a court may find you guilty of an offence. If you are unsure of the exemptions it is advised you contact the Trees & Woodland team for clarification.

If the total amount of timber that you wish to cut down contains more than five cubic metres of wood (as long as no more than two cubic metres of any exempt amount are sold) in any calendar quarter, then you will require a felling licence from the Forestry Commission (contact details on Trees and Woodlands advice page). If a licence is required the Forestry Commission will deal with your application in consultation with the National Park Authority.

When you notify the Authority about proposed work to trees in a conservation area you will need to:

- Complete the relevant form provided by the Yorkshire Dales National Park Authority in a clear way;
- Provide an arboricultural consultant's report **if requested** to support the application.

If you would like assistance before your notification we will:

- Provide clear instructions, a notification form and an explanatory leaflet from the Department of Communities and Local Government;
- Discuss your notification at pre-notification stage;
- Provide a list of potential contractors to assist you in finding a contractor able to carry out the proposed work;
- If necessary, request that you provide a qualified and experienced arboricultural consultant's report;
- Inform you at the earliest opportunity if the dead, dying and dangerous (DDD) 5-day rule might apply.

When we receive your application we will:

- Discuss the application during notification period;
- If necessary, ask you to provide a qualified and experienced arboricultural consultant's report;
- Inform you, at the earliest opportunity if the DDD 5-day rule applies;
- If necessary, put up site notices;
- Consult with interested parties;
- Respond when we say we will (i.e. within a mutually agreed deadline)
- Process your application within 6 weeks;
- Process your application efficiently and professionally.

When the decision has been made we will send either:

- A letter that confirms that the National Park Authority has no objection to the work taking place or
- A tree preservation order made in the interests of amenity. The proposal would then have to be the subject of a formal application under the tree preservation order.