Tree Preservation Orders (TPOs)

Working with protected trees

Last updated: 20 Dec 2025 | planninghandbook.com

QUICK SUMMARY

- TPOs protect specific trees; council consent required for any work
- Applications are free but need forms and tree diagrams
- Exceptions: dead trees, immediate danger, removing dead branches
- Full removal requires arboriculturalist report
- Damaging a protected tree without consent is a criminal offence

Understanding Protected Trees

Tree preservation orders (TPOs) are commonly used by councils to protect certain trees within their area of authority found on someone else's land. If they wish to protect a tree, the council can send a TPO to the landowner and explain the reason for making the order. The landowner has the right to comment.

If a tree is protected via a TPO, the council must consent before any work can be carried out on the tree. Landowners have the right to appeal to the Secretary of State within 28 days if they have a planning permission application refused due to reasons relating to a TPO.

Applications concerning protected trees are handled differently to standard planning permission, with one major change being that these applications can be made without a fee. However, they still require the inclusion of paperwork such as the appropriate forms and a diagram outlining the trees you wish to work on. As with standard planning applications, your application will be advertised by the council. However, neighbours will only be notified on a case-on-case basis.

The arboricultural officer at the council responsible for your application may wish to visit the site in question to gain a better understanding of your application and the tree(s) that will be affected. The standard eight-week time target applies to applications to work on protected trees.

If you are looking to remove a protected tree entirely, you will need a report from a qualified arboriculturalist to support your application.

When can a tree be worked on?

Wilfully cutting, uprooting, damaging or destroying a protected tree without the council's permission is a criminal offence. Exceptions to this law are:

- Cutting down a tree when it is already dead
- Cutting down a tree when the whole tree presents "an immediate risk of serious harm"
- Pruning part of a tree that presents "an immediate risk of serious harm"
- Removing dead branches from a living tree
- Preventing or controlling a "legal nuisance"
- When requested by an organisation listed in the council's regulations
- When it is in the interests of national security
- Where the tree is a fruit tree being pruned in accordance with good horticultural practice, or where the tree is in a commercial orchard
- Cutting down trees in accordance with a grant or felling licence obtained from the Forestry Commission
- Where the tree is directly obstructing development for which full planning permission has been granted (not including permitted development)