

Mark Croucher

From: Jamie Pratt <jamie.pratt@tylergrange.co.uk>
Sent: 09 July 2025 16:04
To: Mark Croucher; Stuart Slatter; Duncan Fisher
Cc: Carly Goodman-Smith; Mari Jones; Kari Burton; Emily Major
Subject: RE: TG Response to BNG/Ecology queries

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Hi Mark,

I've just caught up with Stuart and we agreed it would be best for TG to respond on your points below.

Firstly – we would be grateful to confirm that RfR 6 has been resolved?

Regarding RfR 7, and NPPF Policy 193 (c), I trust the below clarifies our position on this point –

Under the BNG Regulations, certain trees may be classified as veteran based on ecological function, condition, and habitat value – there is a specific definition of a veteran tree within the BNG Regulations, and this is different to the definition of a veteran tree within the NPPF. The NPPF (paragraph 193(c)) only applies to trees that meet the definition of veteran trees as set out within the NPPF.

The removed trees did not meet the criteria to be veteran trees under the NPPF definition. This has been comprehensively set out within the submitted Tree Assessment and Compensation Strategy. As the trees in question do not meet the NPPF definition of a veteran tree, paragraph 193(c) is not triggered. Therefore, the development proposal is not subject to the irreplaceable habitat protections under the NPPF.

While unlikely, the trees had potential to meet the definition of a veteran tree under the BNG Regulations definition. Therefore, we have taken a precautionary approach and have considered the two trees as veteran trees under the BNG definition (not the NPPF definition). Accordingly, the trees have been included in the BNG metric baseline, and we have submitted a separate Compensation Strategy to address their loss in the context of the BNG Regulations. This is consistent with the BNG guidance, which states that:

“Special compensation rules apply to irreplaceable habitat. If planning permission is given you will need to agree a compensation strategy with the LPA. Compensation for irreplaceable habitat needs to be relative to the baseline habitat type. The LPA will agree compensation as part of the determination of the planning application, on a case-by-case basis”.

Furthermore, all existing veteran trees (identified under the NPPF definition) are being retained and appropriately buffered from the proposed development, in accordance with the Standing Advice / NPPF.

We appreciate that the distinction between the NPPF and BNG definitions of veteran trees can be nuanced. In this case, the trees did not meet the criteria of the NPPF definition, however, they have been appropriately addressed under the BNG Regulations, with a robust and policy-compliant compensation strategy in place.

We would be happy to discuss this further with your Tree Officer to ensure alignment and avoid any misunderstanding. We are conscious of timescales and the need to finalise PoEs.

Kind regards