



STANFORDS

ESTABLISHED 1879

**Colchester City Council Preferred Options Local Plan  
Regulation 18 Consultation 2025**

Draft Planning Policy Comments For and on Behalf of Stanfords Colchester LLP

**Section: 5**

**Policy GN4: Tree Canopy Cover**

GN4 is over-prescriptive, internally inconsistent with other policies, and not realistically achievable on all sites. GN4 requires:

- A Tree Canopy Cover Assessment for all major applications;
- Development to “seek, where appropriate, to increase the level of canopy cover on site by a minimum of 10%”; and
- For sites with less than 10% baseline canopy, a mandatory minimum 10% canopy coverage across the site. It also states that “new streets should be tree lined” and that new and existing trees must be incorporated into new developments.

There are several problems with this approach:

1. “Where appropriate” is undefined and unmeasurable; The policy uses the phrase “where appropriate” in relation to increasing canopy cover by at least 10%, but provides no objective guidance on:
  - What constitutes “appropriate” in different contexts (e.g. high-density urban, village infill, constrained sites);
  - How this interacts with other constraints such as heritage setting, coalescence, highways safety, visibility splays, utilities easements and SuDS layouts; or
  - How decision-makers will judge when it is, or is not, appropriate to apply the full 10% uplift.
2. Not always achievable on real-world sites: A blanket requirement to secure at least 10% canopy cover (where baseline is below 10%) will not always be achievable once:
  - Access, visibility splays and highway geometry are factored in;

- Separation distances and garden standards are applied;
- Coalescence/landscape and heritage settings are properly respected; and
- Viable densities are reached to deliver housing numbers and policy-compliant affordable housing.

On a modest allocated sites, which already has to accommodate low-rise built form, generous boundary planting to preserve separation, SuDS, parking and a viable housing quantum, there is limited flexibility left to chase a rigid canopy percentage.

3. Tree-lined streets are not always appropriate: GN4 states that “new streets should be tree lined” in all cases. This fails to recognise that tree-lined streets are:

- Not always compatible with highway safety (visibility, forward sight lines, junction radii);
- Sometimes in conflict with services corridors, SuDS arrangements and adoptable highway requirements;
- Potentially problematic close to buildings (shading, subsidence risk on shrinkable soils, root conflicts, future pressure for pruning/felling); and
- Not always appropriate in terms of local character which have pockets of estates surrounded by trees rather than tree-lined, or where densities and plot sizes are tighter.

The NPPF itself only expects tree-lined streets “where appropriate”, explicitly recognising that they are not a universal solution; GN4’s wording does not mirror this caveat.

4. Duplication and overlap with EN5 and other policies: EN5 already requires major development to consider opportunities for new tree planting (including street trees) and to weigh trees against highways and built-form constraints, with replacement planting where loss is unavoidable. GN1 and LC1 also address landscape and green infrastructure structure. Layering GN4 on top of EN5 produces overlapping obligations:

- An increase in tree numbers and a minimum canopy percentage;
- A general expectation for new trees and a separate requirement for tree-lined streets; and

- Multiple assessment and management plan requirements.

This is exactly the kind of cumulative, paperwork-heavy policy environment that is likely to add cost and delay to decision-making without clear additional benefit, particularly on allocated sites that are already landscape-led.

5. Compensatory provision mechanism is open-ended: GN4 states that where requirements are “not possible or desirable”, compensatory provision should be secured through a legal obligation, potentially including additional or larger open space or off-site planting, to be agreed case-by-case. This is:

- Vague as to when compensatory provision is triggered;
- Open-ended as to quantum and location; and
- Potentially onerous for smaller sites, effectively turning a non-achievable on-site standard into an off-site financial or land obligation.

Without clear thresholds, there is a risk that GN4 becomes a de facto tariff applied inconsistently across applications.

GN4 risks being unrealistic, burdensome and counter-productive, particularly for smaller allocations where space, character, coalescence, heritage and viability constraints mean that a blanket 10% canopy and tree-lined street requirement simply cannot sensibly be met.