

Mrs HELEN KIRK:
NPPF 2026 UPDATES ARBORICULTURAL MATTERS

Local Authority Planning Application Reference: 24/02108/OUT
APPEAL Reference: APP/6007402

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Town and Country Act 1990 Appeal

NPPF 2026 UPDATES: ARBORICULTURAL MATTERS

Appellant

Boningale Developments Limited

Respondent

Shropshire Council

Site

Patshull Road, Albrighton, Shropshire

Date

August 2026

CONTENTS

1.0 INTRODUCTION1

2.0 DISCUSSION.....2

TABLES

Table 1 – NPPF 2024 & 2026 Policy Comparisons

Rev	Issue Status	Prepared/Date	Approved/Date
-	Draft v1	HCK / 21/08/26	SMM / 24/08/26
-	Final	HCK / 31/08/26	SMM / 01/09/26

1.0 INTRODUCTION

- 1.1 This note provides details in respect of arboricultural matters since the publication of the revised National Planning Policy Framework August 2026 (NPPF), providing the relevant updates in relation to arboriculture, the implications of any changes, and whether there have been any of relevance to the appeal and the submitted evidence.
- 1.2 The relevant National Development Management Policies within NPPF 2026 that relate to my evidence are:

N2: Improving the natural environment

'd. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;'

N3: Trees in new development

'1. In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:

a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;

b. Ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and

c. Make provision for the long-term maintenance of both existing and newly planted trees which form part of the development.'

N6: Areas of particular importance for biodiversity and geodiversity

'2. Irrespective of a site's status in nature conservation terms, development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (62) and a suitable compensation strategy exists.

(62) For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of the relevant habitats.'

2.0 DISCUSSION

- 2.1 Table 1 below provides and discusses the extent to which policy areas remain the same or are similar to the previous NPPF policies discussed in my evidence, where they are materially different, and provides conclusions on compliance of the appeal proposals with the updated NPPF in respect of trees. Where any new policies are the same / similar then I have stated my conclusions remain the same.

Table 1 – NPPF 2024 & 2026 Policy Comparisons

POLICY NPPF 2024	POLICY NPPF 2026	DIFFERENCES	DO THE CONCLUSIONS IN MY EVIDENCE REMAIN THE SAME?
'Objectives' of the NPPF Section 2 'Achieving Sustainable Development', at Paragraph 8: <i>"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)."</i> <i>"Part c) An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."</i>	'Objectives' of the NPPF Now, at Section 17 'Pollution, public protection and security', at Paragraph 17: <i>"Achieving sustainable development means that the planning system has three overarching objectives in providing for the homes, commercial development, facilities and infrastructure which society needs. These objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across all three):"</i> <i>"Part c) An environmental objective – to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, and minimising waste and pollution."</i>	The Policy remains similar, with wording slightly rearranged but with an emphasis on supporting efforts to mitigate and adapt to climate change.	There would be no change to the conclusions already made in my evidence in relation to the overarching environmental objectives of the NPPF but now with a stronger emphasis on measures to mitigate and adapt to 'climate change', I would like to highlight that the ability of the appeal proposals to deliver high quantities of new tree planting will make a positive contribution to climate change mitigation and adaptation by increasing carbon sequestration, improving local cooling and shading, enhancing biodiversity, reducing surface water runoff, strengthening green infrastructure networks and increasing the site's resilience to the anticipated effects of climate change, including more frequent extreme rainfall events and higher summer temperatures.

POLICY NPPF 2024	POLICY NPPF 2026	DIFFERENCES	DO THE CONCLUSIONS IN MY EVIDENCE REMAIN THE SAME?
Section 15 'Conserving and Enhancing the Natural Environment' dealt with conserving and enhancing the natural and local environment. At paragraph 187 it advised: <i>"Planning policies and decisions should contribute to and enhance the natural and local environment by:</i> <i>b): "recognising the intrinsic character and beauty of the countryside, the wider benefits from natural capital and ecosystem services- including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland."</i>	Section 19 'Conserving and enhancing the natural environment' N2: Improving the Natural Environment <i>1. To contribute positively to the natural environment, and support nature's recovery, development proposals should:</i> <i>d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;</i>	This Policy area has been divided up into more specific topics than previously but the emphasis of what is trying to be achieved remains the same.	There would be no change to the conclusions already made in my evidence in relation to the arboricultural elements of the Policy for protection of the Natural Environment.

POLICY NPPF 2024	POLICY NPPF 2026	DIFFERENCES	DO THE CONCLUSIONS IN MY EVIDENCE REMAIN THE SAME?
Section 12 'Achieving well-designed places' dealt with creating high quality, beautiful and sustainable buildings and places to live through development processes. At paragraph 136 it advised: <i>"Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."</i>	Section 19 'Conserving and enhancing the natural environment' N3: Improving the Natural Environment <i>1. In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:</i> <i>a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;</i> <i>b. Ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and</i> <i>c. Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development.</i>	This Policy area is similar to the previous version.	Although I did not include this Policy area in evidence, its inclusion within the updated NPPF makes it important & relevant to the appeal. The appeal proposals would more than meet the aims of the Policy. The proposals would provide street trees and other trees within the generous areas of new Green Infrastructure to create benefits for bio-diversity, climate change adaptation and mitigation, all of which will also be set to provide a high-quality built environment that is visually pleasing and pleasant to reside in.

POLICY NPPF 2024	POLICY NPPF 2026	DIFFERENCES	DO THE CONCLUSIONS IN MY EVIDENCE REMAIN THE SAME?
Section 15 'Conserving and Enhancing the Natural Environment' dealt with conserving and enhancing the natural and local environment. At paragraph 193 it advised: "When determining planning applications, local planning authorities should apply the following principles: <i>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (footnote 70) and a suitable compensation strategy exists"</i>	Section 19 'Conserving and enhancing the natural environment' N6: Areas of particular importance for biodiversity and geodiversity 2. <i>"Irrespective of a site's status in nature conservation terms, development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (62) and a suitable compensation strategy exists"</i>	There has been no change to the emphasis and purpose of this Policy area, including no change to the definition of what constitutes a veteran or ancient tree under the Framework definition.	There would be no change to the conclusions already made in relation to the veteran tree T7 as set out in the evidence.

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