Quick guide 04 / Protected trees

Is your tree protected?

A simple guide to TPOs and Conservation Areas in Scotland

Many trees are protected by a Tree Preservation Order or because they stand in a Conservation Area. This guide explains how to check, what needs permission and how to apply.

1 What is a Tree Preservation Order?

A Tree Preservation Order (TPO) is made by the council to protect trees that matter for amenity, or for their cultural or historical significance. It can cover one tree, a group or a whole woodland. Breaking the rules is a criminal offence, with fines of up to £20,000 (more in serious cases) and a duty to plant a replacement.

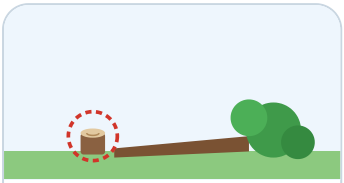
2 Two kinds of protection

A tree can be protected by an order, by standing in a Conservation Area, or both.

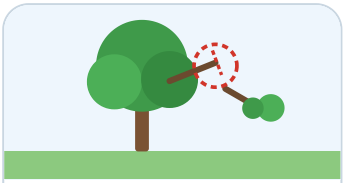
Tree Preservation Order
The council's consent is needed before most work

Conservation Area
Six weeks' notice to the council for trees over 75 mm stem diameter at 1.5 m above ground level

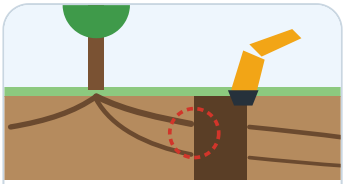
3 What needs permission?



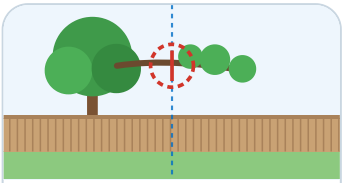
Felling
Cutting down or uprooting the tree, even if you think it is unhealthy.



Pruning
Topping, lopping, reducing or thinning the crown, or cutting off branches.

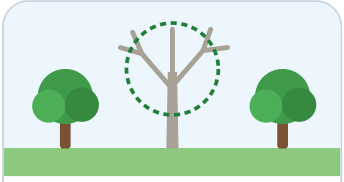


Roots
Cutting roots, or digging and building close enough to damage them.

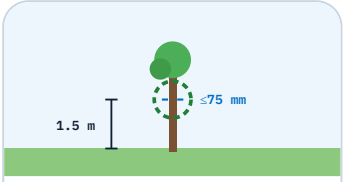


Overhanging branches
Cutting back a neighbour's protected tree from your side of the fence still needs permission.

4 What is usually exempt?



Urgent safety work
Only if urgently needed for safety. Keep photos and a tree report, and tell the council in writing.



Small trees
Trees up to 75 mm stem diameter at 1.5 m above ground level.

Planning permission
Work needed to carry out a full planning permission. Outline permission does not count.

Fruit trees
Pruning fruit trees in line with good horticultural practice.

5 How to apply

Check first
Use your council's online map or ask its tree officer. TPOs are also recorded on property titles.

Apply or give notice
Describe the work and your reasons, with a plan showing the trees. An arboriculturist's report can support your case. There is usually no fee.

Allow time
Councils have two months to decide on TPO work, and six weeks for Conservation Area notices.

If you are refused
You can appeal to the Scottish Ministers within three months of the decision.

treeplanner

Independent tree management consultants
This guide contains general information. It is not legal advice.

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