

# Permission to cut down and prune a tree protected under the Tree Protection Ordinance.

Do you want to cut or prune a tree on your property that is protected under the Tree Protection Ordinance?

## Competent Department

- [Die Senatorin für Umwelt, Klima und Wissenschaft | Abtl. 3 | Natur, Wasser](#)

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## Basic information

The rightful users or owners of property must observe the following when planning to cut down a tree or prune a protected tree (or when carrying out a construction measure):

A tree protection ordinance is in force in Bremen and Bremerhaven. For all planned measures on protected trees, the tree protection ordinance must be observed and, if necessary, an application for exemption must be submitted to the nature conservation authority. For felling or pruning of trees that are not protected according to the tree protection ordinance, the information under the service description "Felling and pruning of trees and bushes in the period from 01.03. to 30.09. of each year" applies.

## Procedure

Informal application with the following contents:

- Applicant (name and address)
- affected property (address/plot and parcel)
- Tree species and trunk circumference (measured in 1m height)
- Distance to residential building (measured in 1m height)
- Reasons for felling or pruning

## Legal bases

- [Baumschutzverordnung](#)

## More information

The following trees fall under the tree protection ordinance:

1. deciduous trees including nuts with a trunk circumference of at least 120 cm,
2. fruit trees, which are not subject to commercial horticultural use, as well as trees of the woody species Ilex (holly), Taxus (yew) and Crataegus (hawthorn or redthorn) with a trunk circumference of at least 80 cm,
3. trees of the woody species Salix (willow) with a trunk circumference of at least 300 cm as well as trees of the woody species Salix (willow) formed as pollarded willows with a trunk circumference of at least 120 cm,
4. conifers, except Taxus (yew), with a trunk circumference of at least 300 cm.

Not protected are:

1. trees in nurseries and market gardens, if they serve commercial purposes,

2. trees of the woody species Populus (poplar) and Betula (birch),
3. trees on plots as defined in § 1 of the Federal Allotment Garden Act,
4. dead trees,
5. trees with a trunk circumference of less than 250 cm, which have a distance of less than 400 cm from approved structures serving residential use. The distance between the side of the trunk facing the building and the building wall (excluding porches such as balconies, conservatories, terraces) at 100 cm tree height is decisive.

Note: Questions regarding neighboring rights cannot be answered.

### **What are the costs?**

94,00 EUR positive decision

138,00 EUR positive decision (permission, for building projects)

47,00 EUR negative reply

69,00 EUR negative decision (permission, for building projects)

## **Frequently asked Questions**

- **When do I have to submit an application if I want to cut down a protected tree (Tree Protection Ordinance)?**

As soon as measures, e.g. pruning or felling on a protected tree (Tree Protection Ordinance) are planned or appear necessary. An application form can be downloaded from the website of the Senator for Climate Protection, Environment, Mobility, Urban Development and Housing/Environment.

- **How do I submit an application if I want to cut down or prune a protected tree (Tree Protection Ordinance)?**

An application can be made informally. It should contain at least the following information:

- Applicant (name and address)
- affected property (address/plot and parcel)
- tree species and trunk circumference (measured at a height of 1m)
- distance to residential building (measured at 1m height)
- Reasons for felling or pruning.

Alternatively, a form can be downloaded from the website of the Senator for Climate Protection, Environment, Mobility, Urban Development and Housing/Environment or the service portal.

- **I would like to build. There is a conflict with trees on the building plot. What do I have to do?**

The nature conservation authority will provide information on this in the specific case.

- **Is it permissible to cut overhanging branches from protected trees (Tree Protection Ordinance) on neighboring properties?**

In principle, no. In individual cases, it may be helpful to consult the nature conservation authority.

- **Do I have to accept shading, leaf fall or, for example, falling chestnuts from protected trees (including from neighboring properties)?**

In principle, yes. However, individual cases can be cases of hardship. Please contact the staff of the nature conservation authority.

- **Who checks the traffic safety (stability and breakage safety) of a tree protected according to the tree protection ordinance?**

Publicly appointed and sworn experts are responsible for the examination. These can be obtained from the Chamber of Commerce ([www.handelskammer-bremen.de](http://www.handelskammer-bremen.de)) or, for example, the Lower Saxony Chamber of Agriculture ([www.lwk-niedersachsen.de](http://www.lwk-niedersachsen.de)).