

ABERDEEN CITY COUNCIL

COMMITTEE	Development Management Sub-Committee	
DATE	19 July 2012	
LEAD HEAD OF SERVICE Margaret Bochel	DIRECTOR Gordon McIntosh	
TITLE OF REPORT	Confirmation of Tree Preservation Order numbers 215 & 216	
REPORT NUMBER	EPI/12/128	

1. PURPOSE OF REPORT

To have confirmed two (temporary) Tree Preservation Order made by the Head of Planning and Sustainable Development under delegated powers. The Orders currently provide temporary protection for the trees, but are required to be confirmed by the Development Management Sub-Committee to provide long term protection.

2. RECOMMENDATION

It is recommended Members confirm the making of Tree Preservation Order 215 and 216 without modifications, and that the City Solicitors attends the requisite procedures.

3. FINANCIAL IMPLICATIONS

The cost of confirming the Orders will be met through existing budgets.

4. OTHER IMPLICATIONS

A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality. Planning and Sustainable Development will take the necessary steps to ensure that the trees are protected in the longer term.

The making of any Tree Preservation Order is likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees. This is, however, contained within existing staffing resources.

The making of Tree Preservation Orders reduces the risk of losing important trees, groups of trees and woodlands. It further allows the Council to protect trees that contribute to local environment quality.

The process of applying for work to protected trees allows for elected members, Community Councils and members of the public to have an opportunity to comment on work to protected trees.

Promoting the improvement and maintenance of environmental quality and townscapes supports investment and economic competitiveness.

5. BACKGROUND/MAIN ISSUES

- **Tree Preservation Order Number 215, Cottage Cars, Howe Moss Road, Dyce**

The need to promote these trees to Tree Preservation Order status is a result of a development proposal for the site that will entail the loss of the trees on the site. A development management case officer has requested the making of the order because of concern that the owner of the site will remove the trees prior to the submission of a planning application.

The reasons for promoting the trees to protected status are in the interests of protecting the amenity of this part of Aberdeen and to ensure the continued treed aspect to this particular site. The trees in this part of the City make an invaluable contribution to the attractiveness, character and amenity of this particular locality.

The loss of trees would be detrimental to the amenity and attractiveness provided to the site and the locality. The trees form an important softening to the otherwise harsh landscapes features associated with the industrial estate. A proposal has been received by this Planning Authority that would entail the removal of the mature trees from the site. Promoting the trees to Tree Preservation Order status would prevent their removal prior to the submission of a planning application.

- **Tree Preservation Order Number 216, 37 Deeview Road South, Cults**

The need to promote these trees to Tree Preservation Order status has arisen from concern expressed by the owners of the negative impact of the granting of planning permission within the neighbouring property will have on their trees. The trees provide a valuable screen between the properties and are clearly visible from the public road and nearby Deeside line.

The reasons for promoting the trees to protected status are in the interests of protecting the amenity of this part of Aberdeen and to ensure no works can be carried out to the trees without the prior consent of the Planning Authority. The trees in this part of the City make an invaluable contribution to the attractiveness, character and amenity of this particular locality.

A large number of the trees on the neighbouring site have been removed and planning permission granted for a new house. The owners of the trees are concerned that the construction of the house in the neighbouring property will require inappropriate works to their trees, and has requested the trees are promoted to protected status. The promotion of the trees to protected status will mean that the trees can not be worked on without the

express permission of the planning authority and any works that are consented are carried out in line with sound arboricultural practice.

The trees provide an important screen between the properties and are easily seen from the adjacent road and nearby Deeside line. The loss of trees would be detrimental to the amenity and attractiveness provided to the site and the locality

An objection to this order has been received to the Planning Authority. This objection arrived after the statutory 28 days allowed for representations to the making of the Order. The objection states the making of the Order will prevent the owner of the neighbouring property from removing overhanging branches from over their property. The making of a Tree Preservation Order does not prevent work from being carried out to the protected trees but simply means the Planning Authority has control over what work is carried out.

Two letters of support to the making of the order have been received to the Planning Authority.

A copy of the letter of objection and letters of support are attached to this report.

6. IMPACT

The confirmation of the Orders will ensure the long term protection of the trees on each of the sites. It would ensure the trees could not be removed or worked on without the express permission of the Council.

7. BACKGROUND PAPERS

Tree Preservation Order Numbers 215 and 216

8. REPORT AUTHOR DETAILS

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