

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management Committee
DATE	21 April 2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Confirmation of Tree Preservation Order numbers 232/2016 and 233/2016
REPORT NUMBER:	CHI/16/048
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

To confirm two provisional Tree Preservation Orders (TPO) 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 Planning Development Management Committee to provide long term protection.

Please Note: TPO 232/2016 has previously been confirmed by committee as TPO 224. We are seeking re-confirmation of this order due to an error in the serving documents which meant the Order was served on the tenant of the properties not the owner. TPO 233/2016 is a new recently served provisional order which was made following a request from Development Management to look at the site due to concerns about pressure for tree removal as part of a planning application.

2. RECOMMENDATION(S)

It is recommended that Members:

- 1) confirm the making of Tree Preservation Orders 232/2016 and 233/2016 without modifications and;
- 2) instruct the Head of Legal and Democratic Services to attend the requisite procedures.

3. FINANCIAL IMPLICATIONS

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

4. OTHER IMPLICATIONS

The making of a Tree Preservation Order generally results 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 undertaken within existing staffing resources.

5. BACKGROUND/MAIN ISSUES

A TPO gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality. As outlined in the Local Development Plan Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term. Protecting trees has the further benefit of contributing to the Council's policies on improving air quality and helping combat climate change. Promoting the improvement and maintenance of environmental quality and townscapes also supports investment and economic competitiveness.

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

The trees in the following Tree Preservation Orders contribute to the local character of the area. The loss of these trees would have an adverse effect on this character. A Tree Preservation Order would ensure that trees could not be removed without the consent of the Council who would have an opportunity to have regard to the environmental implications of any proposals.

- **Tree Preservation Order Number 232, 34-40 Balnagask Road (2016) – served as a Provisional Order on 19/01/16**
- **Tree Preservation Order Number 233, 56 Park Road (2016) – served as a Provisional Order on 11/02/16**

6. IMPACT

Improving customer experience

Protecting trees will have a positive impact on preserving the character of certain areas of Aberdeen. The confirmation of the TPOs proposed in this report will ensure the long term retention of tree cover within the city; resulting in the retention of features that contribute to the character of the city. In addition, maintaining an up to date portfolio of TPO's allows us to promptly reply to customer enquires.

Improving staff experience

Having properly managed TPOs assists in the processing of planning applications and allows enquiries to be dealt with effectively and promptly. As part of our TPO review we have produced a concise and

accurate database of orders. This database will be made available to relevant staff members.

Improving our use of resources

The making, management and enforcement of TPOs carry a financial cost, both directly through legal costs and indirectly through staffing resources. By ensuring that all TPOs can be justified we will ensure that our resources are utilised managing and enforcing orders that remain fit for purpose and provide positive benefits. By ensuring TPOs are fit for purpose we are also ensuring that our database resource is a reliable source of up to date information.

Corporate

In line with the Smarter City vision we have advertised these TPOs as Provisional Orders to allow members of the public to raise representations on the proposed orders. No representations have been received for the orders proposed to be confirmed in this report.

As outlined in Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term thus the need to confirm the aforementioned Tree Preservation Orders.

Confirming these orders helps the Council fulfil its duty in terms of the statutory tree protection 'The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas (Scotland) Regulations 2010' introduced.

Public

The serving of a TPO will have limited interest to the general public other than the preservation of character and amenity of certain areas. There are no anticipated impacts on equalities with this proposal hence an Equalities and Human Rights Impact Assessment is not required.

7. MANAGEMENT OF RISK

There is a risk of loss of the trees if the recommendations are not accepted which would impact on people and the environment. If recommendations are accepted the Orders will ensure the long term protection of the trees on each of the sites by ensuring the trees should not be cut down or otherwise damaged without the express permission of the Council, hence securing the public amenity and environmental value of each site.

8. BACKGROUND PAPERS

Provisional orders are available to view on request; boundary maps for each order noted within this report are attached.

9. REPORT AUTHOR DETAILS

Kevin Wright
Environmental Planner
kewright@aberdeencity.gov.uk
(01224) 522440




ABERDEEN
 CITY COUNCIL

This is the map referred to in the City of
 Aberdeen Tree Preservation Order No. 232,
 34-40 Balmgask Road (2016), Torry, Aberdeen

 Signature

Scale approx 1:1000

