

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management Committee
DATE	12 January 2017
DIRECTOR	Interim Director – Bernadette Marjoram
TITLE OF REPORT	Confirmation of Tree Preservation Order numbers 235 (2016) and 236 (2016)
REPORT NUMBER:	CHI/16/325
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

To confirm provisional Tree Preservation Orders (TPOs) made by the Head of Planning and Sustainable Development under delegated powers. The provisional order currently provides temporary protection for the trees, but requires to be confirmed by the Planning Development Management Committee to provide long term protection.

2. RECOMMENDATION(S)

It is recommended that Members:

- 1) confirm the making of Tree Preservation Order 235/2016 and 236/2016 without modifications and;
- 2) instruct the Head of Legal and Democratic Services to attend to the requisite procedures to serve the Order as confirmed upon the interested parties and attend to register the Order with Registers of Scotland.

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.

- **Tree Preservation Order Number 235, Burnside Gardens (2016) – served as a Provisional Order on 18/08/16**

Reasons for serving TPO 235 (2016);

The trees in question 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 will 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.

Schedule of trees included in TPO 235 (2016);

Trees specified with References to an Area (within a continuous black line on the map)

No. on Map	Description
A1	all those broadleaf and conifer trees growing in the area annotated as A1.

- **Tree Preservation Order Number 236, Rubislaw Den Gardens (2016) – served as a Provisional Order on 11/10/16**

Reasons for serving TPO 236 (2016);

The trees in question form the central section of a belt of trees through the rear gardens of the properties at Rubislaw Den Gardens. These trees form a backdrop to the younger trees planted on the verge of Anderson Drive and contribute significantly to the wooded character of the Conservation Area. 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 impact on the character of the conservation area, the impact on local amenity and any environmental implications of proposed works.

Schedule of trees included in TPO 236 (2016);

Trees specified with References to an Area (within a continuous black line on the map)

No. on Map	Description
A1	All trees within area, species including sycamore, beech and cherry, elder and monkey puzzle
A2	All trees in area, species including sycamore, beech, ash, holly, rowan and cherry

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 and provide essential ecosystem services. 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 is 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

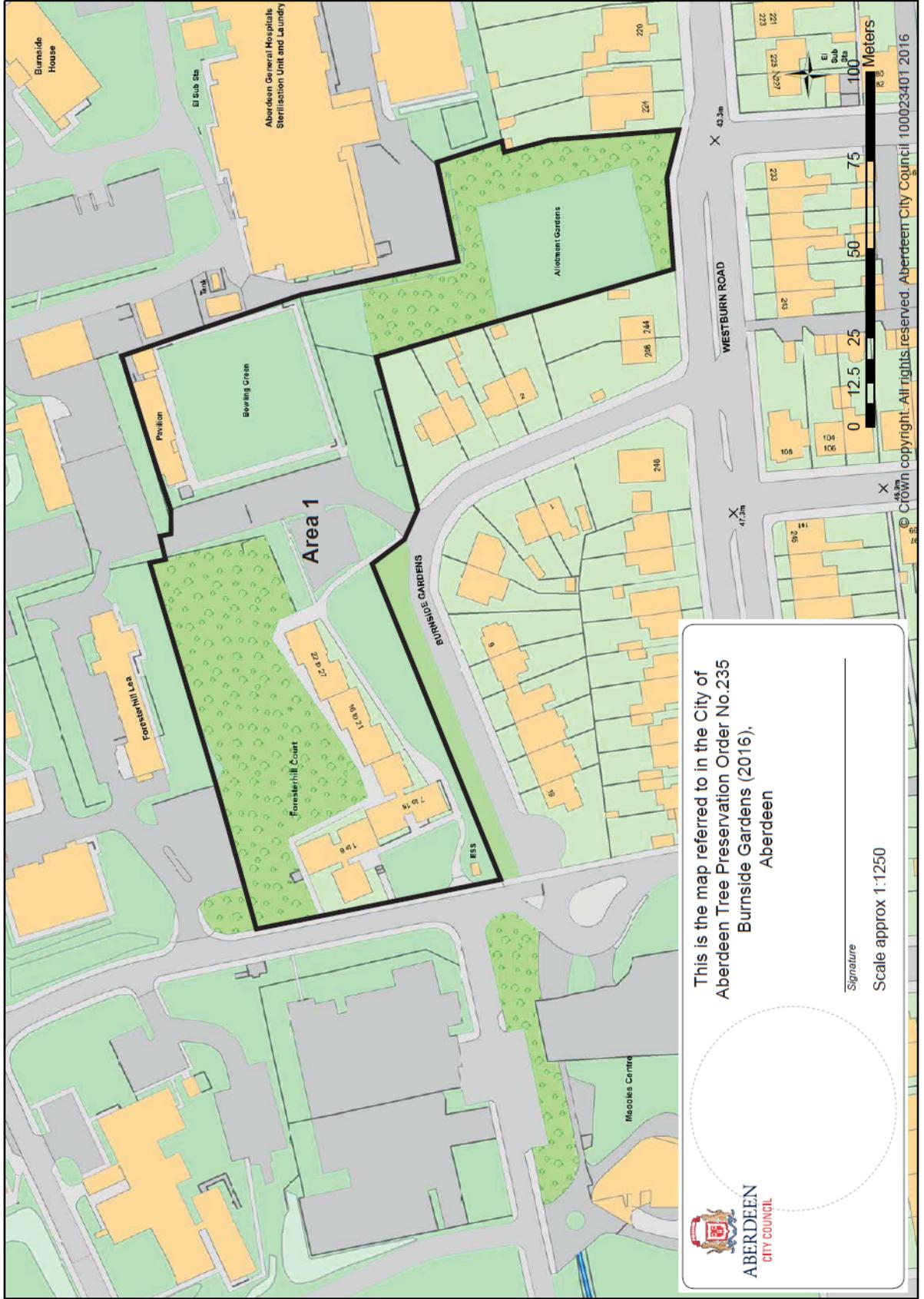
There is a risk of loss of the trees and therefore an impact on the public amenity, environmental value and function of the site if the recommendations are not accepted. If recommendations are accepted the Order will ensure the long term protection of the trees on this site by ensuring the trees should not be cut down or otherwise damaged without the express permission of the Council, hence securing the public amenity, environmental value and function of the 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

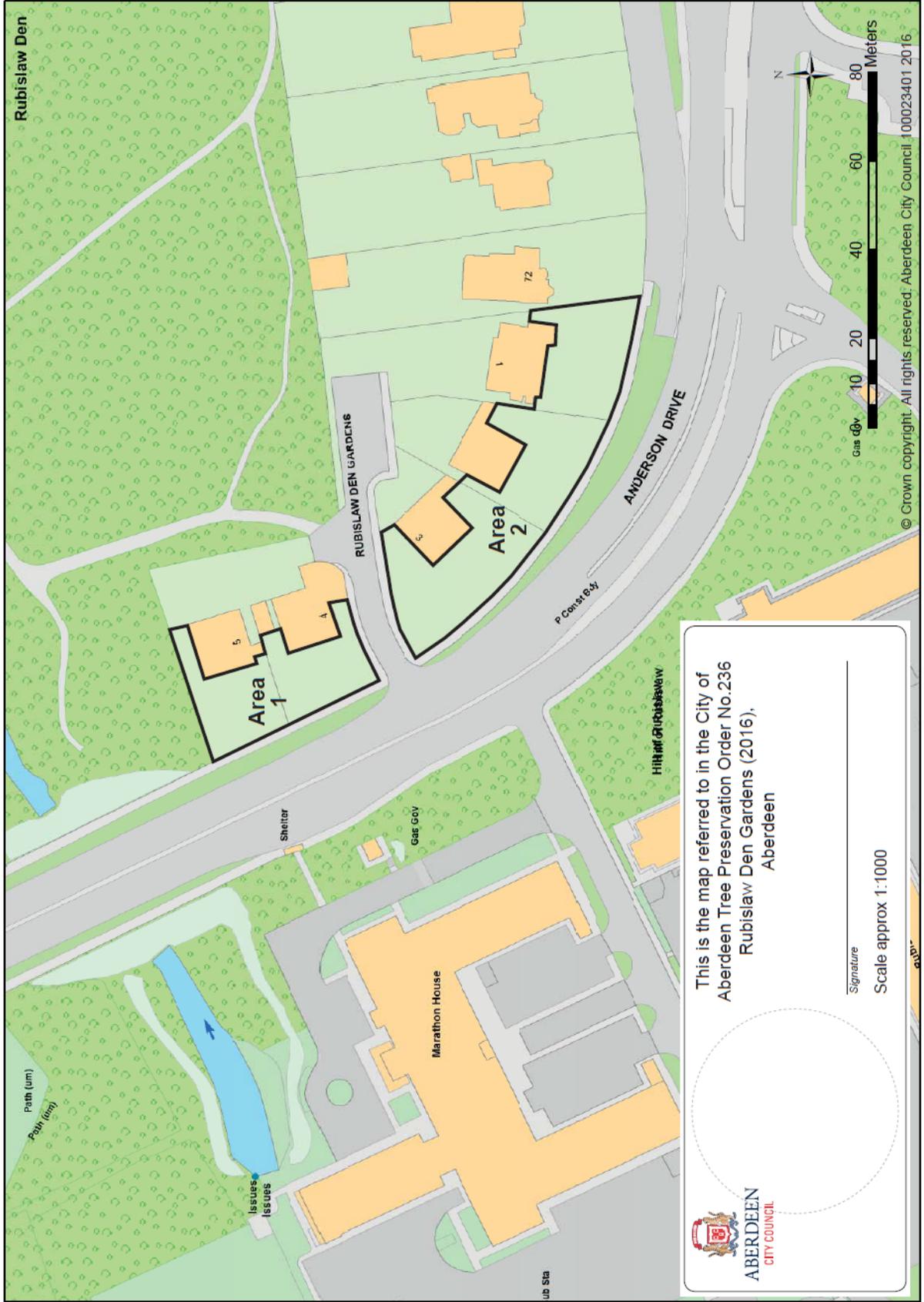
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ABERDEEN
 CITY COUNCIL

This is the map referred to in the City of
 Aberdeen Tree Preservation Order No.235
 Burnside Gardens (2016),
 Aberdeen

 Signature
 Scale approx 1:1250




ABERDEEN
 CITY COUNCIL

This is the map referred to in the City of
 Aberdeen Tree Preservation Order No.236
 Rubislaw Den Gardens (2016),
 Aberdeen

 Signature

Scale approx 1:1000

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