

Report

Report to:	Planning Committee
Date of Meeting:	11 June 2019
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Tree Preservation Order – Blairbeth Terrace, Rutherglen,
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Seek approval for the making of a Tree Preservation Order (TPO) on the trees at Blairbeth Terrace, Rutherglen as shown on the accompanying plan.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that a Provisional Tree Preservation Order be promoted under the terms of Section 163 (Provisional Tree Preservation Order) of the Town and Country Planning (Scotland) Act 1997 on the two trees identified on the attached plan.
- (2) that this Provisional Tree Preservation Order be confirmed within six months from the date of this Order should there be no objections.

3. Background

3.1 The first tree (T1) subject of the proposed TPO is a large beech tree located opposite 4 Blairbeth Terrace and adjacent to the existing car park. The second tree (T2) is a lime tree which is located at the entrance to Blairbeth Terrace on the corner with Blairbeth Road. It is noted that Blairbeth Terrace is a row of B listed buildings dating back to the nineteenth century which have been subdivided into flats. The trees are considered to make a positive contribution to the sense of place, character and amenity in the local area as a result of their size and form as well as providing an attractive setting for this row of listed buildings. There are other trees within the surrounding area, however, it is considered that these trees are the largest and most visually prominent in the immediate local area.

3.2 It is noted that the Planning Committee granted approval on 25 September 2018 to promote a TPO in relation to these two trees. Following the appropriate legal procedure, this was referred back to Committee on 14 May 2019 to be confirmed. After discussion, it was proposed that consideration of the Tree Preservation Order be continued to clarify the position regarding ownership of the trees which were the subject of the TPO. Following a title search, it has been confirmed that both trees are owned by residents of Blairbeth Terrace and are maintained by a Residents' Association. The promotion of a TPO would not stop maintenance works being undertaken to the trees, but it would require such works to be agreed in advance with the Council to ensure that no inappropriate work takes place.

4 Update

- 4.1 Legal Services have now advised that the TPO required to be confirmed before 4 June 2019 or would expire. Given that the Planning Service, in liaison with the Council's arboriculture officer, still consider the trees to be of a high amenity value, permission is sought to recommence the required procedure to promote a Provisional TPO in relation to these two trees, T1 and T2.

5 Policy History

- 5.1 The site is identified in the Adopted South Lanarkshire Local Development Plan as being within a designated residential area and as such is surrounded by residential properties.

6 Grounds for Making the TPO

- 6.1 The reason for making the TPO is that the two existing mature trees are considered to contribute to the character, amenity and sense of place within the local area as well as providing an attractive setting for the B listed terrace. The trees are notably visible in the area by virtue of their size, form and siting which is within the middle of the terrace and on the junction of Blairbeth Terrace and Blairbeth Road. To ensure that only appropriate maintenance is undertaken in consultation with the Council, and to ensure the future retention of the trees, the promotion of a TPO is considered necessary.

7 Employee Implications

- 7.1 None.

8 Financial Implications

- 8.1 None.

9 Other Implications

- 9.1 None

10 Equality Impact and Consultation Arrangement

- 10.1 Consultations have taken place with the Council's Arboriculture Manager. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

30 May 2019

Link(s) to Council Objectives/Values/Ambitions

- Working with communities and partners to promote high quality, thriving and sustainable communities

Previous References

Committee Report dated 25 September 2018

Committee Report dated 14 May 2019

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton

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E-mail: planning@southlanarkshire.gov.uk

Tree Preservation Order - No SL53

Blairbeth Terrace, Burnside, Cambuslang



This is the plan referred to in the foregoing Tree Preservation Order

Schedule : T1 Beech
T2 Lime

**Community and Enterprise Resources
Planning & Building Standards Services**

Date: January 2018

Scale: 1:1,250

