

Report

Report to:	Planning Committee
Date of Meeting:	13 February 2007
Report by:	Executive Director (Enterprise Resources)

Subject:	Tree Preservation Order – Barons Gate, Princes Gate and Dukes Gate, Bothwell
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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) in relation to those trees lying within Barons Gate, Princes Gate and Dukes Gate Bothwell

2 Recommendation(s)

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

- (1) that Committee agree to the making of the Provisional Tree Preservation Order under the terms of section 163 (Provisional Tree Preservation Order) of the Town and Country Planning (Scotland) Act 1997 on the area of ground shown 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 It was brought to the Council's attention that some trees had been removed at Barons Gate. The Council's Arboricultural Manager inspected this area, as well as Princes Gate and Dukes Gate, and found that the landscape is now well established and of good quality with the trees themselves forming an important and valuable component. The overall landscape makes a significant contribution to the amenity of the area.

4 Planning History

4.1 The original planning application relating to this area was HN//85/0525 which had a planning condition attached to protect the existing trees. This condition however only related to the trees that were present at that time and trees planted thereafter are not protected. In addition, the condition was primarily intended to protect the existing trees on site during construction works and no further formal action, in the form of making a TPO, was ever provided.

5 Grounds for making the TPO

5.1 The reason for making the TPO is to ensure adequate protection of the mature landscape and to comply with guidance outlined in Circular 4/1998 "The Use of Conditions in Planning Permission" which states that the long term protection of trees should be secured by a Tree Preservation Order rather than by the use of conditions.

6 Employee Implications

6.1 There are no personnel implications.

7 Financial Implications

7.1 There are no financial implications.

8 Consultation

8.1 Consultations have taken place with the Council's Arboricultural Officer.

Iain Urquhart

Executive Director (Enterprise Resources)

24 January 2007

Link(s) to Council Objectives

- Living in the Community (Source:Forecast)
- Creating Successful Communities (Source:Forecast)

Previous References

- Application No. HN/85/0525
- Circular 4/1998 "The Use of Conditions in Planning Permission"

List of Background Papers

None.

Contact for Further Information

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

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TREE PRESERVATION ORDER - No 37 (2007) **BARONS GATE, PRINCES GATE, DUKES GATE, BOTHWELL**



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

Several trees of whatever species numbered - A1

**Enterprise Resources
Planning & Building Standards Services**

Date: January 2007

Scale: 1:2,500

O.S. Coordinates:
269235 659784



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