

# Development Management Sub-Committee of the Planning Committee

10am, Wednesday, 16<sup>th</sup> January 2013

## Confirmation of Tree Preservation Order No. 170 Duddingston Park. Edinburgh

Item number	3.10
Report number	
Wards	Portobello/Craigmillar

### Links

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Coalition pledges	
Council outcomes	CO19
Single Outcome Agreement	SO2 SO4

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# Confirmation of Tree Preservation Order No. 170 Duddingston Park. Edinburgh

## Summary

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- Tree Preservation Order No. 170 (Duddingston Park Edinburgh) was made under delegated powers on 08 August 2012
- The trees are a prominent landscape feature contribute significantly to character and attractiveness of the locality
- The tree preservation order provides temporary protection to the trees in question but the order needs to be confirmed by the Committee to become permanent

## Recommendations

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It is recommended that the Planning Committee:

- confirm Tree Preservation Order No 170

## Measures of success

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The protection of large prominent trees in the City that contribute to amenity and cultural heritage.

## Financial impact

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This report will have no financial implications

## Equalities impact

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There are no adverse impacts arising from this report.

## Sustainability impact

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The protection of trees will have a positive impact on sustainability objectives.

## Consultation and engagement

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When the tree preservation order was made it was advertised in accordance with Regulation in the Scotsman newspaper which provided 28 days in which to make representations. No representation were received

## Background reading / external references

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None

## Name of report

### 1. Background

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- 1.1 The trees in question form narrow linear woodland on raised land between Duddingston Park (where the woodland directly abuts the road) and the rear gardens of properties on Durham Road. The TPO map is included at Appendix 1. The trees are highly visible and contribute significantly to character and attractiveness of the locality.
- 1.2 The land is owned by the Barony of Duddingston. A planning application (11/01026/FUL) was submitted for consent to form access gates and hard standing but was withdrawn in May 2011. Following the withdrawal a petition from over 50 local residents was received requesting that a tree preservation order be made to protect the trees. This was supported by Councillor Maureen Child and Sheena Gilmore MP.
- 1.3 A tree preservation order to protect the trees in question was made by the Head of Planning and Building Standards under delegated powers on 8<sup>th</sup> August 2012.

### 2. Main report

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- 2.1 The submission of planning application (11/01026/FUL) for consent to form access gates and hard standing raised a number of planning issues including the potential impact of the proposed development on trees within the site. The application was withdrawn in May 2011.
- 2.2 Further to the withdrawal the above planning application a petition from over 50 local residents was submitted to the Council requesting that a tree preservation order be made to protect the trees growing in the wooded strip on the west side of Duddingston Park.
- 2.3 The request was supported by correspondence from Councillor Maureen Child and Sheena Gilmore MP.
- 2.4 The strip of trees is a highly prominent landscape feature on Duddingston Park and beyond and contributes significantly to the attractiveness and character of the locality.
- 2.5 The trees were not considered to be under any immediate identifiable threat. However in view of the prominence of the trees and the level of local interest in the trees it was considered expedient to make a tree preservation order to prohibit carrying out of tree work trees except with the consent of the Council as planning authority. This allows the Council an opportunity to assess the impact of proposed tree work on amenity.

- 2.6 A tree preservation order made by the Head of Planning and Building Standards on 8 August 2012 and this provides 6 months protection to the trees. Under new Regulations introduced in 2011 the order will expire after 6 months unless confirmed within this period (i.e. before 6 February 2013). Confirmation of the order is required to retain the tree preservation order and provide long term protection to the trees.
- 2.7 On the making of the tree preservation order and in accordance with regulations, copies of the order are served on all those with an interest in the land, a notice placed in The Scotsman newspaper and a copy of the order left at the local library. Any person then has 28 days to object to the order or make any other representation. No objections or representations have been received.

### 3. Recommendations

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- 3.1 It is recommended that the Planning Committee confirm Tree Preservation Order No 170 (Duddingston Park, Edinburgh)

#### Mark Turley

Director of Services for Communities

#### Links

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#### Coalition pledges

<b>Council outcomes</b>	CO19 - Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards
<b>Single Outcome Agreement</b>	SO2 - Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health SO4 - Edinburgh's communities are safer and have improved physical and social fabric
<b>Appendices</b>	1. Tree preservation order map for TPO No 170 (Duddingston Park, Edinburgh)

Appendix 1

