

## **Confirmation of Tree Preservation Order**

**SUNNY BANK, SOUTHWOOD, BALDWINS GATE.**

### **Tree Preservation Order No.200 (2018)**

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

**The Order** protects a tree within the garden of Sunny Bank, Southwood, Baldwins Gate.

The Order was made to safeguard the longer term visual amenity that the tree provides following an enquiry regarding pruning the tree and concern of likely future pressure for it to be lopped or felled.

The Order was made using delegated powers on 29<sup>th</sup> October 2018. Approval is sought for the Order to be confirmed as made.

**The 6 month period for this Order expires on 29<sup>th</sup> April 2019**

### **RECOMMENDATION**

That Tree Preservation Order No 200 (2018), Sunny Bank, South Wood, Baldwins Gate be confirmed as made and that the owners of the site be informed accordingly.

### **Reasons for Recommendation**

Your officers are of the opinion that the longer-term visual amenity of the tree is best secured by the making of a Tree Preservation Order. Your officers are of the opinion that the tree is generally healthy at present and of sufficient amenity value to merit the making of a Tree Preservation Order. It is considered to be an appropriate species for the locality and to provide public amenity value due to its form and visibility from public locations. The making of the Order will not prevent the owner from carrying out good management of the tree and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction. The owner will be able to apply for permission to carry out maintenance work to the tree which is necessary to safely and appropriately manage it.

### **Representations**

No representations have been received however the owner, thinking that the Order covered a number of trees that could if left to grow to shade a main outdoor seating area, did indicate that he would make an objection. Nothing was subsequently received.

### **Issues**

The tree is a Scots pine in an elevated position within the garden of Sunny Bank close to the boundary with Culzean. It is a prominent tree and clearly visible from Parkwood Drive. The loss of many adjacent trees in recent years has increased the trees visual value. It is

an important feature to the locality and provides a significant contribution to the area. Its loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

Following a tree status enquiry for the tree relating to removal of a branch that could affect the balance of its crown, and concern of further pruning or felling, your officers carried out a TPO assessment of the tree in October 2018 and found it worthy of an Order. It is considered to be in reasonable health, visually significant and an amenity to the locality, with the prospect of continuing to provide this for many years. The Order was made and served on 29<sup>th</sup> October 2018 in order to protect the long term well-being of the tree.

Date report prepared

25 March 2019