

Tree Preservation Order – 2016/0001 - Lagganbuie

1 SUMMARY

Seventeen trees on this site were protected by a Tree Preservation Order (TPO) served by Argyll and Bute Council in 1999 as result of a planning application for a dwelling house. There are only two trees remaining on site. The re-assessment of the remaining two trees as part of the TPO review recommends that the protection of these trees is removed because they do not merit protection by a TPO. This is achieved by the confirmation of the revocation TPO - reference number 2016/0001.

2 BACKGROUND

Site Description:

- 2.1 The site lies to the north of the A880, east of the Kilmun Mausoleum and west of the Old Kirk in Kilmun.

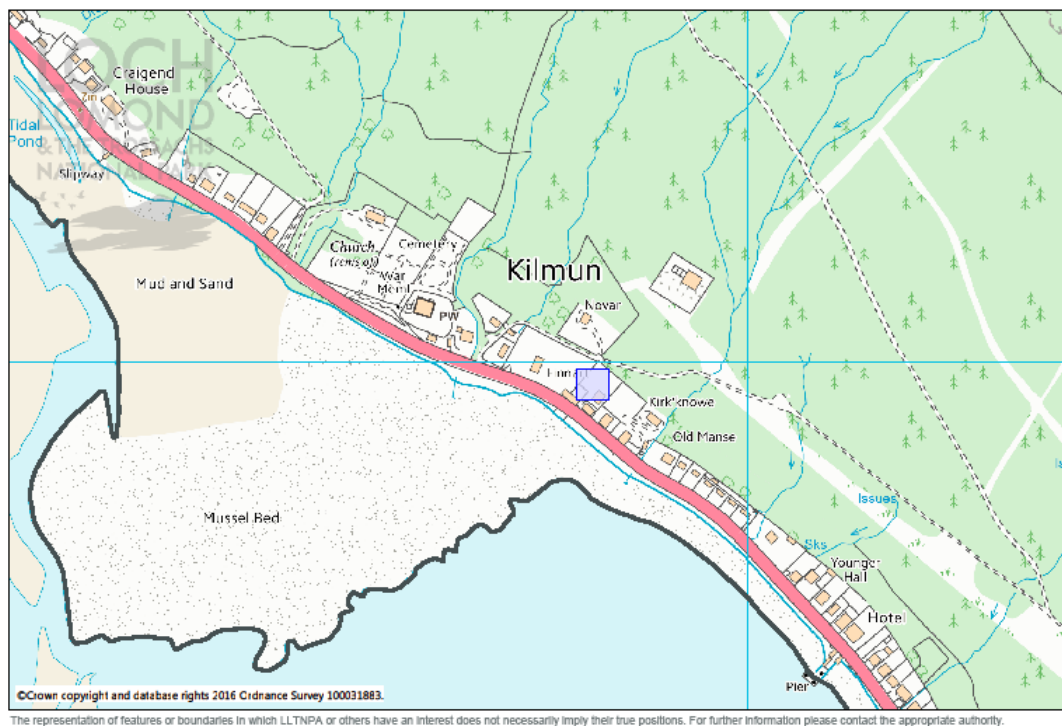


Figure 1 – Large Scale Location Plan The blue square marks the general location of the TPO

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2.2 The dwelling house to which the TPO relates is known as Kasalito which sits behind a property known as Lagganbuie.

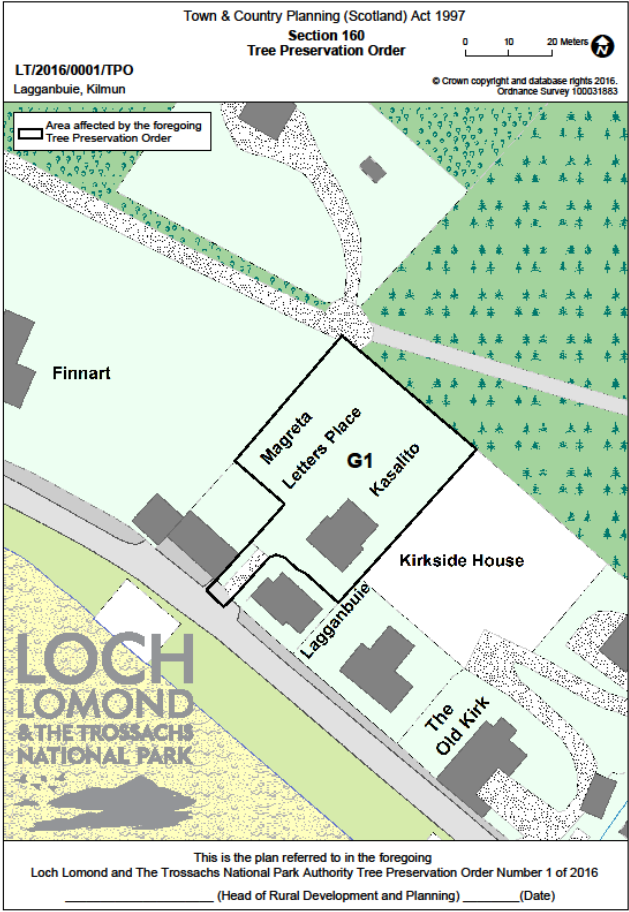


Figure 2- Small Scale Location Plan

2.3 The site has a steep slope with the house known as Kasalito (at the rear in the photo - Figure 3) constructed at the south east corner and the remaining trees situated at the north east corner.



Figure 3 – Photograph of site

Relevant Planning History:

2.4 98/01615/OUT/A - Erection of House – Approved 05.01.1999

3 CONSULTATIONS AND REPRESENTATIONS

3.1 The following statutory consultations are required:

- a) Forestry Commission Scotland – Conservancy
- b) The owner, lessee and occupier of the land on which the trees are situated, and any party entitled to:
 - i) fell, top, lop, uproot or otherwise damage or destroy any tree to which the tree preservation order relates; or
 - ii) work by surface working any materials in, on or under such land.

Although not required by statute, the community council were also consulted. In addition, an advert was placed in the Dunoon Observer on the 16th September 2016.

Responses to Consultations:

3.2 No responses from any consultees were received nor were any other representations made.

4 PLANNING ASSESSMENT

4.1 Members are being asked to confirm the revocation Tree Preservation Order (appendix 1a), served on the 7 September 2016. The TPO was served following re assessment of the TPO which found that some trees had been felled to permit the consented development. In addition in the intervening 17 years most of the remaining trees have blown over. The only remaining trees are two semi mature Sitka spruce (*Picea sitchensis*).

4.2 The basis for the assessment of the trees is a standard Tree Evaluation Method for Tree Preservation Orders (TEMPO) – used by the majority of Scottish Planning Authorities for assessing where a tree(s) is worthy of a TPO. TEMPO was developed as a field guide to consider all relevant factors when to assess tree(s) for a TPO (see Appendix 4 for the full guidance document).

4.3 The TEMPO method scores a tree on a number of categories as follows:
Part 1 is the amenity assessment which is broken down into four sections:

- a) Condition (relates to health and physical form);
- b) Retentions span (Remaining lifespan);
- c) Relative public visibility;
- d) Other factors such as arboricultural features or veteran trees, trees which have significant historical or commemorative importance.

Part 2 is the expediency assessment which is the level of threat to the trees or woodland concerned.

4.4 When the remaining tree cover was assessed using the TEMPO assessment they were

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not worthy of a TPO. The remaining trees scored 3 for condition (fair) while 0 for retention due to the risk of unpredictable failure, 3 for visibility and 1 for other factors (unremarkable trees) The TEMPO score at the end of Part 1 only scored 8 so the assessment process stops at this point.

5 CONCLUSION

- 5.1 The remaining trees do not merit protection by a TPO. Therefore, it would be contrary to policy NEP8 of the adopted Local Plan for the trees to be protected by a TPO. No representations were received during the consultation period. It is therefore recommended that the Order be confirmed so removing any protection of these trees.

Background Documents: *Tree Evaluation for Preservation Orders (TEMPO) and assessment notes available in electronic file - Reference 2016/0001/TPO. Also available in the file is the TPO schedule and plan.*