

**Tree Preservation Order number 2016/0004 - Kilmaronock**

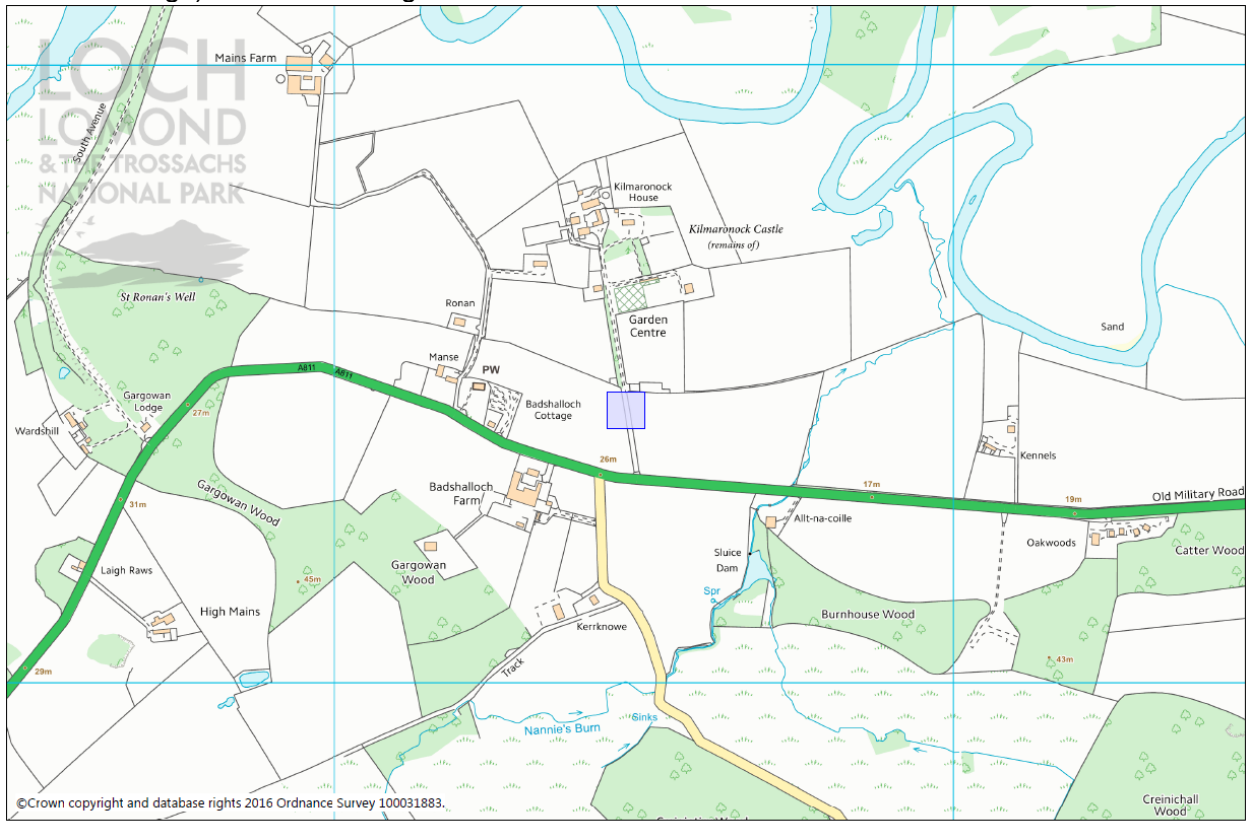
**1 SUMMARY**

The NPA had previously served a TPO in 2008 on an avenue of 60 trees at Kilmaronock House. As part of the TPO review process, the avenue of trees was re assessed and it was considered that a proportion of the trees forming the avenue merited protection by a TPO. A new TPO was served to protecting 37 trees, (of various species: *Acer pseudoplatanus* (Sycamore), *Tilia* spp (Limes), *Aesculus hippocastanum* (Horse Chestnut) and *Fagus sylvatica* (Beech)). No representations were received. It is recommended that the TPO is confirmed.

**2 BACKGROUND**

**Site Description:**

2.1 The location lays to the north of the A811, east of the Kilmaronock Church and Manse (both listed buildings) as shown in Figure 1.



**Figure 1 – Large Scale Location Plan - Blue Square marks the TPO location**

Appendix 3

2.2 The 37 trees form an avenue leading to Kilmaronock House and the derelict castle (Figure 2). The trees are a mix of Lime, Sycamore, Horse Chestnut and Beech.

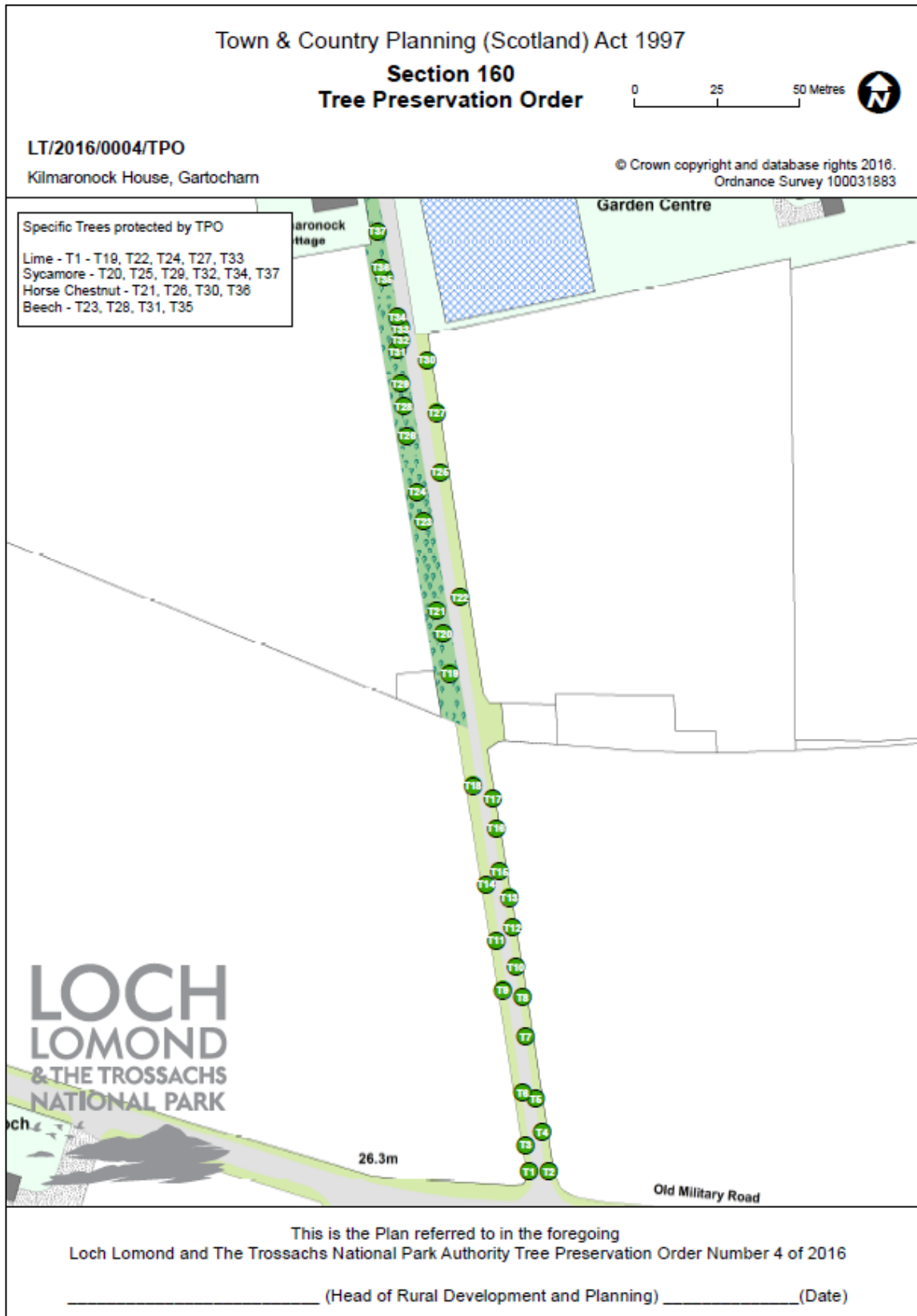


Figure 2 - Location Plan – detailed

Appendix 3

2.3 The photographs below (Figure 3) show a selection of the 37 trees to be protected. The first photograph shows the avenue from the east. The photograph below shows the entrance to the avenue from the public road.



Figure 3 - Photographs

**Relevant Planning History:**

2.4 2007/0273/DET and 2008/0015/DET - Change of use of agricultural land to equestrian use and erection of stable block, hay and bedding store, formation of driveway and improvements to access road. Both applications were withdrawn but resulted in the original TPO being served.

### 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, community council were also consulted. In addition, an advert was placed in the Dumbarton reporter on the 13<sup>th</sup> 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 The Members are being asked to confirm the Tree Preservation Order, served on the 7 September 2016.

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 is worthy of a TPO. TEMPO was developed as a field guide to consider all relevant factors when to assess trees for a TPO (see Appendix 4 to 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 The TEMPO assessment found that 37 trees (*Acer pseudoplatanus* (Sycamore), *Tilia* spp (Limes), *Aesculus hippocastanum* (Horse Chestnut) and *Fagus sylvatica* (Beech)) were worthy of TPO protection scoring 18. A further 22 trees scored 14 (*Betula pendula*, (Silver birch), *Poplar* spp (Poplar) and *Prunus* spp (Cherry). While a score of 14 means a TPO is defensible in this case it was considered that loss of these trees would not significantly impact on the integrity of the landscape feature so they were not protected by this TPO. The trees covered by the TPO scored 5 for condition (maximum score), 4 for retention span maximum given the relevantly young age of the trees. It was this score which differed for the trees in the avenue which are not protected by a TPO as these only scoring 1 due to the relevantly short life span of those species.

## 5 CONCLUSION

- 5.1 The above TPO protects the significant components of the tree avenue leading from A811 to Kilmarnock House. No representations were received during the consultation period. It is therefore recommended that the Order be confirmed.

***Background Documents: Tree Evaluation for Preservation Orders (TEMPO) and assessment notes, consultation responses and representations available in electronic file - Reference 2016/0004/TPO. Also available in the file is the TPO schedule and plan.***