

Members' Library Service Request Form

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Originator	Dervilla Gowan
Originator's Ref (if any)	
Document Title	Tree Preservation Order No. 136(2016) landed area to the west of Prestonpans, East Lothian

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Planning Committee

Additional information:

Authorised By	Monica Paterson
Designation	Executive Director (Communities)
Date	12/01/17

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REPORT TO: Members' Library Service

MEETING DATE:

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: The East Lothian Council, Tree Preservation Order No. 136 (2016): Landed Area to the West of Prestonpans

1 PURPOSE

- 1.1 East Lothian Council placed Tree Preservation Order No. 136 on 20th September 2016. This report advises Members that the TPO was confirmed on 20 January 2017.

2 RECOMMENDATIONS

- 2.1 Members are asked to note that, under delegated powers, the decision has been made to confirm this Order.

3 BACKGROUND

Reason for the Promotion of the Order

- 3.1 To secure the retention of specific trees situated on land to the west of Prestonpans: the specified trees are to be safeguarded from unauthorised pruning and or removal. They are a large group of trees with significant visual amenity and biodiversity value. The trees provide an important element of mature screening between the new housing development (David Wilson Homes) on the western edge of Prestonpans and the open countryside. The trees are growing on a disused mineral railway embankment and make a significant contribution to the visual amenity and as such provide an important landscape setting on the western edge of Prestonpans. The trees provide an important gateway feature to the western edge of Prestonpans, in the transition from countryside to town. The trees are located in the adopted greenbelt. The trees provide a visual and physical link to the other protected trees (TPO 14 and 1) to the west and north and, as such, enhances the green networks. The protection of these trees will ensure the continued

enjoyment of visual amenity, value and the unique sense of place that these trees confer to members of the public.

- 3.2 The visual amenity value of the trees considered within this tree preservation order outweighs pressure for unnecessary tree work or felling in this location for the following reasons:

Visibility

The trees make a valuable contribution to the visual amenity and landscape character of the area. The protected trees form a natural boundary feature to the site without restricting usable areas within the site or constricting possible future uses of the site. The trees provide a well-established landscape setting for any future development and bestow the site with individual character.

Individual impact

The trees have individual visual significance and help to provide a mature landscape setting for existing housing development and future housing development. The trees are positioned far enough away from the adjacent houses not to affect daylight to the houses and it is unlikely that the crowns will encroach over the house roofs.

Wider impact

The trees provide an important gateway feature to the western edge of Prestonpans, in the transition from countryside to town. The trees provide a visual and physical link to the other protected trees (TPO 14 and 1) to the west and north and, as such, enhance the green networks. The protection of these trees will ensure the continued enjoyment of visual amenity, value and the unique sense of place that these trees confer to members of the public.

Threat

Permitted development and infill development within garden grounds remain a threat to the mature trees. The other threats include: lack of management, the loss of trees from tree diseases, and climate change. If these trees were lost, it would impact significantly on this part of Prestonpans and could start a gradual erosion of these important natural boundary feature. This would have a detrimental effect on the visual amenity of this part of Prestonpans and also on the character and amenity of this part of Prestonpans.

3.3 Future tree felling or tree work

Confirmation of this Order does not prevent an application being made to the Council for permission to carry out tree management work or to fell and replace the trees, if necessary in the future. However, the Order gives the Council control over such proposals, and the ability to require

replacement planting to mitigate for any trees that are felled. The TPO control is used to ensure that tree cover is retained in this area.

3.4 **Objections to Order**

The affected property owners were notified by letter and the public had 28 days from the time of placing a copy of the Order in a local paper and local library in which to object. We have not had any objections to this order within the notification period.

4 **POLICY IMPLICATIONS**

4.1 None

5 **INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 **RESOURCE IMPLICATIONS**

6.1 Financial - Cost to advertise the promoted order in the local press.

6.2 Personnel - None

6.3 Other - None

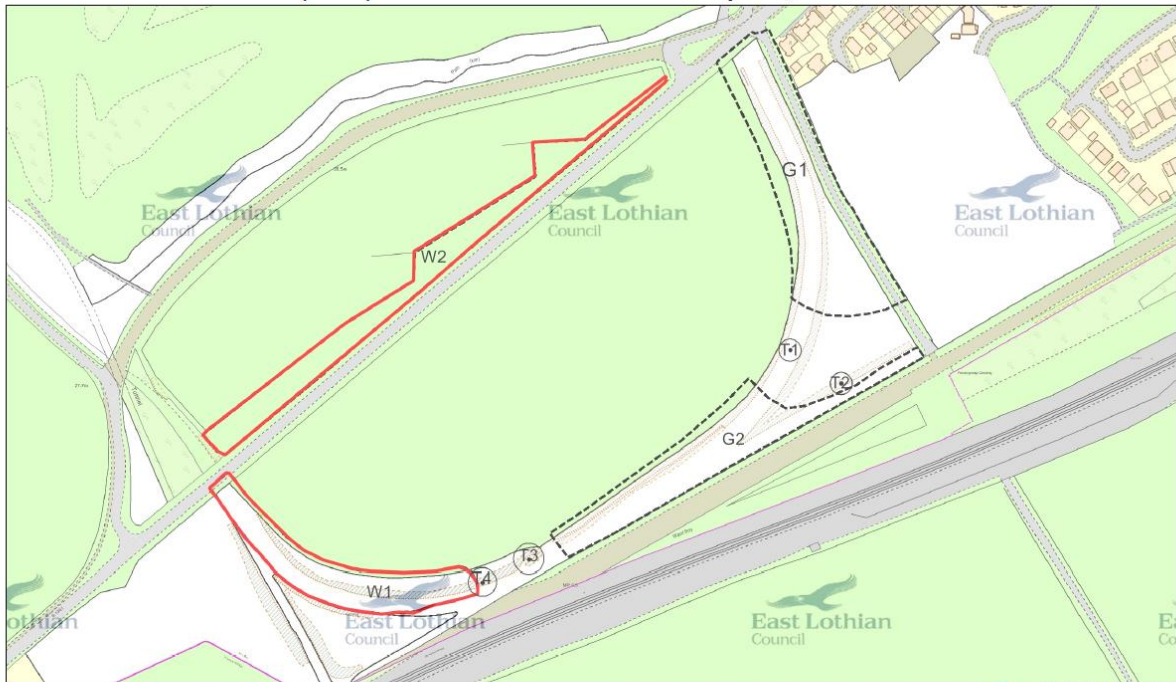
7 **BACKGROUND PAPERS**

7.1 TPO 136 Location plan

7.2 TPO 136 Schedule 1

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DESIGNATION	Projects Officer (Landscape)
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DATE	20 January 2017

TPO 136 (2016) Land to the West of Prestonpans, East Lothian



0 0.025 0.05 0.075 0.1 kilometres

Co-ordinates:
337720, 673133

Grid Reference: NT 378730

LOCATION PLAN SCALE
1:2000 @ A3

Inset Map Scale
[1:8,000]@ A3



Tree Preservation Order No 136 (2016) plan. Not to scale.

TPO 136 (2016) – Land to the west of Prestonpans, East Lothian
Schedule 1

Trees Specified Individually <i>(Coloured black within a black solid line indicating the canopy on the map)</i>		
No. on Map	Description	Situation
T1	Goat Willow	Situated on the land known as and forming part and portion of ALL and WHOLE that area of ground at Dolphingstone, Prestonpans, being the subjects registered in the Land Register of Scotland under Title Number ELN5894 and in part registered under Title Number ELN2979 and subject to a Lease registered in the Land Register of Scotland under Title Number ELN15771 (hereinafter referred to in this Schedule 1 as “ the Subjects ”) T1 is situated in the eastern corner of the field atop an existing embankment on the Subjects. T1 is situated to the north of G2 and south of G1 as shown on the map annexed to this Schedule 1 (“ the Map ”); and
T2	Sycamore	Situated in the eastern corner of the field at the Subjects. 10m to the south east is a fence which borders the East Coast railway line. T2 is approximately 40m to the south east of T1; and shown located at the point marked ‘ T2 ’ on the Map.
T3	Sycamore	T3 is situated atop an embankment in a clearing between a woodland at the Subjects marked on the Map as W1 to the west and a group of trees marked on the Map as G2 to the north east; and shown located at the point marked ‘ T3 ’ on the Map.
T4	Ash	T4 is situated 35m in a broadly west south west direction from T3 at the Subjects. It is atop an embankment along the southern band of trees and path. There is a fence 15m to the south of the tree; and shown located at the point marked ‘ T4 ’ on the Map.
Trees Specified by reference to an Area <i>(within a continuous black line on the map)</i>		

**TPO 136 (2016) – Land to the west of Prestonpans, East Lothian
Schedule 1**

NONE

Groups of Trees *(Within a broken black line on the map and denoted with a G)*

No. on Map	Description	Situation
G1	14No. Oak, 13No. Ash, 15No. Hawthorn, 2No. Sycamore, 1No. Goat Willow, 1No Crab Apple, 1No. Cotoneaster	G1 is situated at the Subjects and due southwest of house numbers 24 to 33 Doctor Gracie Drive EH32 9GQ. An access road from the road B1361, to the north) and runs parallel to the eastern embankment of G1; and shown marked as 'G1' on the map
G2	38No. Hawthorn, 1No. Goat Willow, 1No Oak, 1No Ash, 1No Sycamore.	G2 is situated on an old mineral line railway embankment forming part of the Subjects, which is parallel and due northwest of the East Coast railway line; shown marked 'G2' on the map

Woodlands *(Within a solid red line on the map denoted with a W)*

W1	Oak, Hawthorn, Elm, Elderflower, Holly, Sycamore, Ash, Hawthorn, Willow	Situated in the south west corner of the Subjects on arable land, and adjacent to G1 in TPO 14 Kinnegar, Dolphingstone
W2	Mountain Ash, Plum, Hawthorn, Scots Pine, Lime, Ash, Birch, Hazel, Apple, Oak	Situated on the north western side of the Subjects and running parallel to the road B1361 a long strip of trees running parallel sandwiched between the boundary fence of the Royal Musselburgh driving range and a footpath adjacent to the road B1361

Tree Preservation Order 136 (2016) ~ Schedule 1