



TREE PRESERVATION ORDER FOR TREES AT BEECH AVENUE AT ROSEMAY FARM, LEADBURN

Report by Head of Communities and Economy

1 INTRODUCTION

- 1.1 At its meeting on 10 October 2014, the Committee agreed to make a Tree Preservation Order (TPO) to protect a tree lined avenue which previously served as access to Rosemay Farm from the A701, Leadburn. The trees are situated on land stretching from Woodend Cottage in the south-west, to the A701 in the north-east. Rosemay Farm is now accessed off the A701 further to the south.
- 1.2 The tree lined avenue consists of a double row of mature beech trees approximately 800 metres in length. The trees form an important, locally prominent, landscape feature which is visually prominent because of the open expansive landscape.

2 BACKGROUND

- 2.1 The TPO came into effect on 13 November 2014. Following the service of the TPO the owner of the land and other interested parties were given the opportunity to make representation. Additionally notices were posted on site at either end of the avenue. Furthermore, in accordance with the regulations, a notice was published in the Midlothian Advertiser on 20 November 2014, citing a four-week period for any comments to be submitted for consideration. The Council has received no written representations in connection with the TPO.

3.0 PROCEDURE

- 3.1 The TPO will remain in effect for six months. If the Local Planning Authority (LPA) wishes the TPO to stay in effect beyond the six months it must confirm the order.
- 3.2 To 'confirm' the Order the LPA must register the TPO in the Land Register of Scotland, place a copy on its own TPO register and notify the Forestry Commission, interested persons and any person who has made a representation.

4 PLANNING ISSUES

- 4.1 The Council has received no objections to the TPO. Accordingly, there is no dissent from the view that the tree lined avenue provides a valuable amenity worthy of preservation for the future and should be protected by a Group Preservation Order under Section 160 (3) of the Town and Country Planning (Scotland) Act 1997 and The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010.
- 4.2 Protecting the trees with a preservation order does not prevent the owners from carrying out necessary work to the trees.

5 RECOMMENDATION

- 5.1 It is recommended that the Committee agrees to confirm the Tree Preservation Order regarding the tree lined avenue which previously served as access to Rosemay Farm from the A701, Leadburn.

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