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## **TREE PRESERVATION ORDER FOR TREES AT LAND ADJACENT TO FORMER LAIDLAW AND FAIRGRIEVE SITE, DALKEITH**

Report by Head of Communities and Economy

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### **1 INTRODUCTION**

- 1.1 At its meeting on 10 October 2014, the Committee agreed to make a Tree Preservation Order (TPO) to protect the line of trees along the eastern side of the B6414, Dalkeith. The trees are situated in a grass verge along the north-western roadside boundary of the former Laidlaw and Fairgrieve site in Thornybank, Dalkeith.
- 1.2 The trees proposed for protection comprise five mature silver birch trees and an early-mature beech tree. The trees form an attractive landscape feature locally, which in association with other existing trees forms an attractive streetscape.

### **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. 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 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 month period 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 trees provide a valuable amenity worthy of preservation for the future and should be protected by a Individual 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 line of trees along the eastern side of the B6414, Dalkeith.

**Ian Johnson**  
**Head of Communities and Economy**

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