



TREE PRESERVATION ORDER FOR TREES AT HARVIESTON HOUSE, GOREBRIDGE

Report by Head of Planning and Development

1 INTRODUCTION

- 1.1 At its meeting on 9 October 2012, the Committee agreed to make a Tree Preservation Order (TPO) to protect the woodland at Harvieston House, Gorebridge. The site, as shown on the plan attached to this report, consists of land at Harvieston House, Gorebridge and is situated in countryside stretching from Harvieston Cottage and Harvieston Farm in the south, to the field track dividing the grounds of Harvieston House from the housing site allocated in the Midlothian Local Plan (2008) (ref: h23 at Harvieston) to the north east.
- 1.2 Harvieston House is a category C(s) listed building with a significant area of woodland in the grounds comprising both exotic and native tree species. The trees form a visually prominent feature locally which is highly visible especially when approaching from the south along the A7.
- 1.3 The woodland comprises a mix of conifers and deciduous trees consisting of: Birch, Gean (and other Prunus species such as Prunus cerasifera), Beech, Copper beech, Cypress species, Lime, Oak, Pine, Poplar species, Spruce, Sorbus (both Rowan and Whitebeam), Giant Redwood, Cedar (both Atlas and Lebanon), Yew, Douglas Fir, Sycamore, Horse Chestnut, Hawthorn and Ash.

2 BACKGROUND

- 2.1 The TPO came into effect on 19 October 2012. Following the service of the TPO the owner of the land and other interested parties were given the opportunity to make representation. Furthermore, in accordance with the regulations, a notice was published in the Midlothian Advertiser on 1 November 2012, citing a four-week period for any comments to be submitted for consideration. The Council received one written representation in support of the TPO.

3.1 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 representation received supports the position agreed by the Committee at its meeting of 9 October 2012. Accordingly, there is no dissent from the view that the woodland 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 or to improve the land. It only ensures that this work is carried out in accordance with an appropriate management plan to be agreed with the Council and other government agencies. In this respect the Council would be willing to discuss the terms of such a plan.

5 RECOMMENDATION

- 5.1 It is recommended that the Committee agrees to confirm the TPO.

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