

DEVELOPMENT AND INFRASTRUCTURE SERVICES

PLANNING PROTECTIVE SERVICES AND LICENSING COMMITTEE

20th April 2011

FELLING OF TWO TREES WITHIN TREE PRESERVATION ORDER AT MONYDRAIN ROAD, LOCHGILPHEAD (TPO ref. 2/95)

1. SUMMARY

- 1.1 This paper reports for information, action taken by your officers under delegated powers. The action involved the authorisation of the felling of two trees protected by the above Tree Preservation Order within Council land on the grounds of preventing a danger to both public and workforce safety because of the health and condition of the affected trees. In authorising this felling it is necessary for the Council to replant trees to benefit the amenity of the area.
- 1.2 The two trees were growing on the borders of the Councils' County Yard also within the corridor of Monydrain Road, opposite the junction with Wilson Road, in Lochgilphead.

2. RECOMMENDATION

It is recommended, that the Committee accepts that this action was necessary and that it authorises the replanting of the ground with replacement specimens.

DETAILS OF FELLED TREES AND TREE PRESERVATION ORDER 2/95 – MONYDRAIN ROAD, LOCHGILPHEAD; AND REASON FOR ACTION TAKEN

- 3.1 The Tree Preservation Order 2/95 was registered on the 21 December 1995, comprising of an Area Order of mixed broadleaf on the fringes and adjacent to the southern, eastern and western boundaries of the Council's County Yard, generally referred to as the Council's Roads depot for this part of Argyll. The southern section of the TPO has depth and is particularly beneficial to the amenity of the area, public pedestrian access able to be gained through this area of trees, by using the old bridge, built prior to the present bridged route of Bishopton Road. The eastern section where the two trees have been felled are part of a line of trees neighbouring Monydrain Road.
- 3.2 Within section (3) of the Second Schedule of the Tree Preservation Order the provision exists for the felling of any tree urgently necessary in the interest of safety, so long as notice in writing of the operations is given to the Planning Authority as soon as may be, after the necessity of the operations. Unless the Planning Authority dispenses with the following requirement it is normal in such circumstances to require another tree of appropriate size and species to that felled to be planted.

- 3.3 The two trees felled comprise a mature Elm and mature Ash.
- 3.4 The Councils' horticulturalist has now, retrospectively in accordance with the provisions written to the Planning Authority (dated 14.03.11) seeking the relevant consent. She reports that the trees have been on the site for around 40 years. The road alongside these trees (Monydrain Road) was noted by that officer as being used daily by vehicles accessing the Roads depot, and also used daily by members of the public in vehicles and as pedestrians accessing both that road and Wilson Road.
- 3.5 She reports that when inspected they were ivy covered which presented a challenge on assessing the condition of the branches trunks. Ivy indicates that regular maintenance may not be occurring with faults or problems not dealt with. In terms of stability, the trees were leaning toward the road which was becoming more pronounced during the monitoring of their health during the last few months.
- 3.6 It was recognised toward the end of the assessing period, given the progression of the lean, that in order to protect the safety of both members of the public and Council employees the trees should be removed before they came into leaf. It was acknowledged that the risk was high enough to necessitate the removal of the trees.
- 3.7 Given that these trees are on Council land and that it was officers of the Council that took the decision for felling on safety grounds, it is considered prudent to present this issue to Committee.
- 3.8 It is recommended that the Council determine to undertake appropriate replanting.

5.0 IMPLICATIONS

Policy :	The actions taken were consistent with the provisions of the TPO and the policies in the Council's development plan.
Financial :	None beyond normal budgetary provision.
Personnel :	None
Equal opportunities :	None
Legal :	None

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