

## **EAST AYRSHIRE COUNCIL**

### **SOUTHERN LOCAL PLANNING COMMITTEE - 10 OCTOBER 2003**

#### **THE SINCLAIRSTON NO 1 (PROVISIONAL) TREE PRESERVATION ORDER 2003**

##### **Report by Head of Planning and Building Control**

### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to advise the the Committee on the making, serving and advertising of the Sinclairston No 1 (Provisional) Tree Preservation Order 2003 and to seek the Committee's view on whether or not this Tree Preservation Order should be confirmed.

### **2. BACKGROUND**

2.1 The Planning and Building Control Division has considered the possibility of an area of trees on the southern side of the B 7046 immediately south of Sinclairston House being protected under a Tree Preservation Order. The initial reason for such protection of the trees being sought was that they occupied a site which was the subject of a planning application for housing development and there was concern that the trees might be removed in advance of any decision by the Council on the above planning application.

2.2 Inspection of the trees by Community Services confirmed that the trees were generally in good condition.

2.3 The trees form part of a larger belt of designated Ancient Woodland and are important elements of the character of the village lending it a secluded feel. It was therefore considered that the trees were worthy of statutory protection under a Tree Preservation Order. Accordingly the Sinclairston No 1 Provisional Tree Preservation Order 2003 was made served and advertised and took effect on Friday 8<sup>th</sup> August 2003. No formal objections to the order were received within the statutory 28 day period.

2.4 It should be noted that several trees in Sinclairston other than those which are subject of the above provisional Tree Preservation Order are also considered worthy of such statutory protection but further ownership investigations regarding these trees are necessary. It was considered the time such investigations might take could prejudice early serving of the above provisional Order therefore it was decided to make the above additional trees the subject of a separate Tree Preservation Order at a future date.

### **3. POLICY & PLANNING IMPLCATIONS**

3.1 Under policy ENV 15 of the East Ayrshire Local Plan the Council will protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment through the serving of Tree Preservation Orders, and will also strongly encourage the protection and positive management of remaining areas of ancient and semi – natural woodland.

### **4. LEGAL & FINANCIAL IMPLICATIONS**

4.1 None

### **5. CONCLUSIONS**

5.1 In view of the fact that the above trees comprise Ancient Woodland, are important to the character and amenity of Sinclairston and may be under potential threat of clearance, as referred to in section 2 above, it is considered appropriate that the Tree Preservation Order be confirmed.

### **6. RECOMMENDATION**

6.1 It is recommended the Committee agrees that the Sinclairston No 1 (Provisional) Tree Preservation Order 2003 be confirmed.

**ALAN NEISH  
HEAD OF PLANNING AND BUILDING CONTROL**

2 October 2003

### **LIST OF BACKGROUND PAPERS**

1. The Sinclairston No 1(Provisional) Tree Preservation Order 2003.

Any person wishing to inspect the background papers or wishes further information on this report should contact Julian Thorp, Planning Officer on (01563) 576789.

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