

To: Planning and Climate Change Policy Board

On: 24 January 2023

Report by: Chief Executive

Heading: Tree Preservation Order Requests

1. Summary

- 1.1 This report seeks to provide an update to the Tree Preservation Order (TPO) requests which were agreed at the meeting of the Planning and Climate Change Board in November 2022.
 - 1.2 In addition, this report also seeks to respond to requests to apply a TPO designation to a site at Dykebar, Paisley.
 - 1.3 The requests submitted are considered in line with the relevant legislation, namely, Section 160 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, and within the procedures set out in the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2011.
 - 1.4 The report recommends that a tree preservation order is made in relation to the site proposed.
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2. Recommendations

- 2.1 It is recommended that the Board:
 - (i) Confirm the tree preservation orders in respect of the sites known as Old Lane SINC, Erskine and Land at Kirklandneuk, Renfrew and agree that officers make the orders public and register them with the Land Registry for Scotland.

- (ii) Note that the TPO designation agreed at the meeting of the Planning and Climate Change Policy Board in November 2022 in respect of the site known as UWS Thornly Park Campus is currently subject to a period of public consultation. As a result of notifications being delayed due to the ongoing Royal Mail strikes further time has been provided for interested parties to make comments in relation to the TPO in question.
 - (iii) Note that the UWS Thornly Park Campus proposal will be returned to a future meeting of the Planning and Climate Change Policy Board for confirmation or otherwise of the order.
 - (iv) Approve the need for a tree preservation order at a site known as Dykebar, Paisley and agree that officers proceed to prepare the order, serve it on relevant parties and make the order available to the public and seek representations.
 - (v) Note that consideration and assessment of the sites at Houston, Elderslie and St. Marks Church, Paisley will be undertaken and the findings and recommendations presentation at a future meeting of the Planning and Climate Change Board.
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3. TPO Requests Previously Considered

- 3.1. At the meeting of the Planning and Climate Change Policy Board in August 2022, it was agreed that TPO designations would be placed on the site known as:
 - Erskine Old Lane SINC.
- 3.2. In addition, at the meeting of the Planning and Climate Change Policy Board in November 2022, it was agreed that TPO designations would be placed on the following sites:
 - Land at Kirklandneuk, Renfrew; and
 - UWS Thornly Park Campus, Paisley.
- 3.3. In respect of the sites noted in the above paragraphs and in line with the Renfrewshire Planning and Development Tree Policy 2022, and the relevant legislation relating to Tree Preservation Orders, Officers have, undertaken the following:
 - Prepared the relevant orders and made them available online for review;
 - Served the order on relevant parties including landowners;
 - Published a public notice in the local press advising of the order; and
 - Provided an opportunity for comments to be made by any interested party in relation to either of the orders.
- 3.4. No comments have been received in respect of the sites known as Erskine Old Lane SINC and Land at Kirklandneuk, Renfrew.

- 3.5. Comments have been received in respect of the site at UWS Thornly Park Campus, Paisley with the site owners advising that, as a result of ongoing postal strikes, notification was only received on 29th December 2022. This has been confirmed by our recorded delivery check. In this regard, and given the circumstances, it is considered reasonable to allow further time for comments to be submitted in respect of the site at UWS Thornly Park Campus. In light of the above the deadline for comments being received in respect of the TPO at UWS Thornly Park Campus is 26th January 2023.
- 3.6. Following conclusion of the extended consultation period any comments received will be considered and a further report brought back to a future meeting of the Planning and Climate Change Policy Board to confirm or otherwise the tree preservation order.
- 3.7. The Board are therefore asked to confirm the TPO designations in relation to the following site:
- Erskine Old Lane SINC; and
 - Land at Kirklandneuk, Renfrew.

4. TPO Requests

- 4.1. A number of other requests for tree preservation orders to be designated have been received and to date one of the sites requested have been considered and assessed.
- 4.2. The site in question is at Land within the grounds of Dykebar Hospital, Paisley.
- 4.3. In light of the above, the site in question has been assessed and a recommendation provided in respect of whether a TPO should be made.

5. TPO Considerations

Land within the grounds of Dykebar Hospital, Paisley

- 5.1. The site in question relates to the grounds of the existing Dykebar Hospital. The site in question is detailed in Appendix 1.
- 5.2. It is significant to note that following an appeal to DPEA, a Notice of Intention was recently issued by the Reporter. The notice details that the Reporter is minded to grant planning permission for the erection of 603 dwellinghouses with associated access, parking and landscaping subject to conditions. The Reporter has instructed the applicants and the Council to reach agreement on a suitable financial contribution in respect of education provision and discussions are currently ongoing between the applicants and officers in this regard.
- 5.3. Notwithstanding the recent Notice of Intention, an assessment has been undertaken in respect of the site by an independent arboriculturist who has advised that there are no individual trees of particular outstanding merit, rarity or value on site.

Notwithstanding the above, four groups of trees and four woodlands were identified, and which scored sufficiently in the relevant categories, as meriting inclusion as a TPO.

- 5.4. Group 1 is a large group of mixed broadleaves around the site entrance. The group is comprised of mostly of sycamores and limes and is not included in the existing TPO which covers the woodlands to the north and south. The group is identified as definitely meriting a TPO designation.
- 5.5. Group 2 comprises an avenue of lime trees which are found to be in good condition. The group is identified as definitely meriting a TPO designation.
- 5.6. Group 3 comprises an avenue and boundary planting of mixed broadleaved species, mostly limes, maples and sycamore with a few oak, horse chestnut, birch and ash. The group is identified as definitely meriting a TPO designation.
- 5.7. Group 4 comprises 8 Scots pine located on a traffic island. The survey undertaken noted that if retained as a group the trees have a useful future life expectancy. The group is identified as definitely meriting a TPO designation.
- 5.8. Woodland 1 is located to the south of the site and is found to comprise a shelterbelt of Scots pine with some Sitka spruce and larch, up to 20m in height. The woodland is identified as definitely meriting a TPO designation.
- 5.9. Woodland 2 is located to the south to the site and is found to comprise a shelterbelt of mixed coniferous and broadleaved species, including beech, lime, larch, Sitka spruce, up to 20m in height. The group is identified as definitely meriting a TPO designation.
- 5.10. Woodland 3 is located to the south west of the site and is found to comprise a mixed woodland with mature oaks and sycamores. The group is identified as definitely meriting a TPO designation.
- 5.11. Woodland 4 is located to the west of the site and is found to comprise an even aged sycamore plantation with hawthorn and natural regeneration. The group is identified as definitely meriting a TPO designation.
- 5.12. In concluding the survey, the independent arboriculturist notes that most of the trees within the hospital site are matured landscape plantings dating back around 100 years, or are later replacement or supplementary plantings. They include numerous ornamental individuals and groups, as well as woodland blocks and plantations. Although most of the trees are in an acceptable condition and it would be suitable to retain for many years with the site being used as it currently is, the evaluation method undertaken suggests that the four groups and four woodlands identified are the one most worth retaining within any large scale future development.

- 5.13. For the reasons outlined above it is recommended that a TPO designation is applied to the four identified groups and four identified woodlands.

6. Other TPO Requests

- 6.1. In addition to the requests outlined and assessed above, the following request for TPO designations have also been received:
- Site within Houston;
 - Site at 16 Edzell Drive, Elderslie;
 - Site at St. Marks Church, Paisley

7. Next Steps

- 7.1. The TPO orders in respect of the sites known as Old Lane SINC, Erskine and Land at Kirklandneuk, Renfrew, UWS Thornly Park Campus are confirmed, made public and registered with the Land Registry for Scotland.
- 7.2. A TPO is prepared in respect of the groups and woodlands at Dykebar Hospital, Paisley. Thereafter the order will be served on the respective landowners and made available to the public for comment.
- 7.3. Following a period of public consultation, the TPO will be returned to Board to take account of any comments received and to confirm, or otherwise the order.
- 7.4. Assessments will be undertaken in relation to the sites in Houston, the site at 16 Edzell Drive, Elderslie and the site at St. Marks Church, Paisley.

Implications of the Report

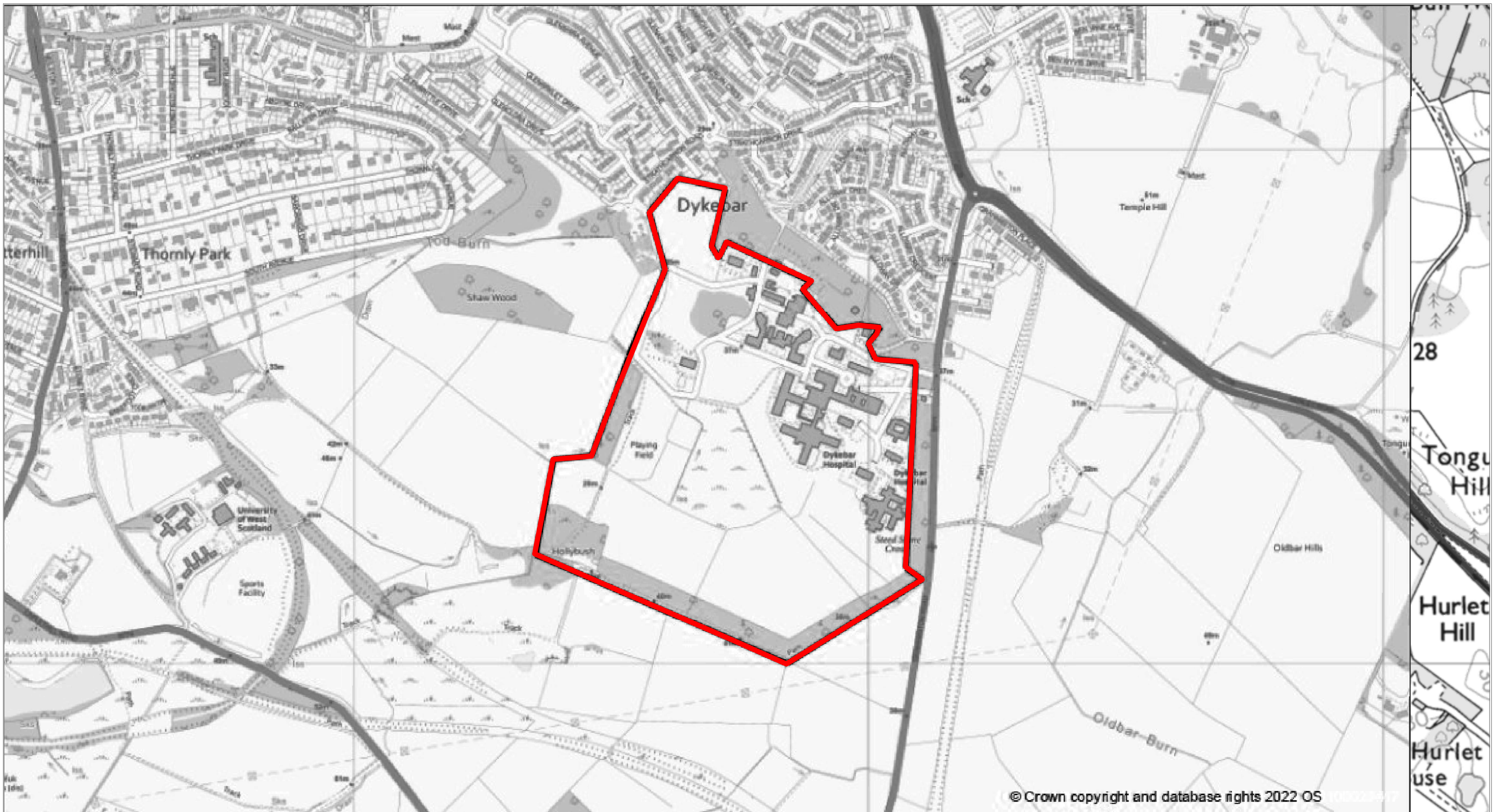
1. **Financial** – None.
2. **HR & Organisational Development** – None.
3. **Community/Council Planning** – None.
4. **Legal** – The recommendations in the report would require a tree preservation order to be made in relation to the site in question. Should the order be confirmed it would require to be lodged with the Land Register of Scotland.
5. **Property/Assets** – None.
6. **Information Technology** – None.
7. **Equality & Human Rights** -
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights.

No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.
9. **Procurement** – None.
10. **Risk** – None.
11. **Privacy Impact** – None.
12. **COSLA Policy Position** - None.
13. **Climate Risk** – The proposed site development briefs seek to ensure that any development coming forward is undertaken in a sustainable manner and aids the adaption required as a result of climate change.

Appendix 1: Site Plan – Grounds at Dykebar Hospital

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Renfrewshire
Council



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PRODUCED BY: ALAN BURGESS
CHIEF EXECUTIVE'S SERVICE

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Grounds of Dykebar Hospital, Paisley

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