

5 TREE PRESERVATION ORDER - 37A MAINS LOAN, DUNDEE (AN51-2012)

Members are asked to note on 11th October, 2011, the Council made a Tree Preservation Order on the above-mentioned site. The site is located within Maryfield Conservation Area. This was done to protect the arboreal amenity of the area.

One objection was received. The main reasons for the objection are as follows:-

- He feels discriminated against because he wants to build a garage.
- In order to build the garage in this location he wants to remove a mature tree.
- The tree shades the garden of the property to the north.
- Unsure why only one tree has been the subject of a Tree Preservation Order and not a wider area.
- Requesting confirmation that if no reply was received from tree work request after six weeks then the tree could be removed.

The Council's forestry officer has the following comments in connection with the objections:-

- This is a mature tree worthy of protecting.
- No objections or complaints have been received from the neighbour to the north of the property regarding overshadowing from this tree.
- Only one tree was protected because this is the only tree under threat. All the other trees are still protected because they are located within a conservation area.

This item was on the agenda on 23rd January, 2012 but was deferred for further background information. The further information is detailed below.

A tree evaluation method was completed by the Council's Forestry Officer and has been copied to the Group Leaders, Lord Provost and Depute Lord Provost. The main issues from the survey are the tree is in good condition, lifespan of 100 years, very visible location, the tree form is compliant with species type and the tree is under threat from future development proposal. The report concludes that the tree definitely merits a Tree Preservation Order.

The Council's Forestry Officer has also confirmed that most of the tree roots are in the embankment therefore, it is possible for the tree to survive with the correct design and installation of the garage.

Members are asked to authorise the Depute Chief Executive (Support Services) and the Director of City Development to undertake the necessary procedures and confirm the above Tree Preservation Order.

Copies of the map have been circulated to Group Leaders, the Lord Provost and Depute Lord Provost Borthwick.