

2 TREE PRESERVATION ORDER 01/2025 - LAW NURSERY SCHOOL, LAWSIDE ROAD, DUNDEE, DD3 6BJ (AN18-2026)

Members are asked to note that on 27th January, 2026, the Council made a Tree Preservation Order (TPO) on the abovementioned site. The TPO was made to protect and preserve the arboreal amenity of the area.

One objection to the TPO was received on behalf of the landowner, the trustees of the Roman Catholic Diocese of Dunkeld. In support of this objection, the landowner instructed an independent tree condition survey of the site. While this survey agreed that Tree 1 and Tree 2 warrant protection by TPO, it argued that Tree 3 does not.

The Council's Forestry Officer has reviewed this Tree Condition Survey but does not accept the conclusion in relation to Tree 3. All 3 trees warrant protection and meet the criteria of a TPO through the Tree Evaluation Method for Preservation Orders (TEMPO) report process. This considers the amenity, retention span, public visibility, threat and suitability for protection values of the trees. The Forestry Officer considers that all 3 trees are high amenity, mature, and well-structured trees with a lifespan exceeding 40 years.

The applicant's independent Tree Condition Survey accepts that all 3 trees are "Category A" trees but disagrees that there is a threat to them being felled, stating that the landowner is only considering the site for proposed allocation in the new Local Development Plan.

It is accepted there is a certain degree of subjectivity in assessing the suitability of trees for protection. However, the TEMPO report provides a consistent methodology. It scores trees and considers that those with a score of 16+ "Definitely Merit TPO" and those with a score of 12-15 are "TPO Defensible". In this case, the Forestry Officer scored all 3 trees as 20. The applicant's assessment scored the trees 14, 16 and 12 respectively. Taking both the Forestry Officer and landowner's scores into account, it is considered that all 3 trees meet the appropriate threshold for protection through a TPO.

This is sufficient reason to protect the trees to prevent them being felled without the consent of the Planning Authority in advance.

Members are therefore asked to authorise the Head of Democratic and Legal Services and Executive Director of City Development to undertake the necessary procedures and confirm the above TPO.