



DEVELOPMENT SERVICES

Darren Westmacott

Planning Officer (Strategic Planning & Development)

Moray Council

PO Box 6760 Elgin Moray IV30 1BX

Telephone: 01343 563358 Fax: 01343 563990

Email: darren.westmacott@moray.gov.uk

Website: www.moray.gov.uk

Your reference:

Our reference: 2021/TPO/002

DECISION NOTICE

Town and Country Planning (Scotland) Act 1997

Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010

Application for Works to Trees Protected by The Moray Council (Findhorn Village Entrance) Tree Preservation Order (No 1) 2018

Removal of 2 x Monterey Cypress [T1 and T2] at Woodlands, Findhorn

With reference to the application for works to trees received on 09 March 2021, Moray Council hereby **REFUSES** permission for the above works as described in the application and the accompanying plans for the following reasons:-

The trees are of good health and show no signs of being dangerous or potential to fall. There is no statutory right to light in Scotland and the property is located within an area of mature woodland. No professional evidence has been submitted to support the claim that the trees are having an adverse impact on the amenity of the occupants, who have refused to undertake any mitigating tree works in an attempt to address the alleged impact. No evidence has been submitted to support claims that the roots of the trees are causing damage to the property's drainage pipes.

Date of Notice: 06 May 2021

Gary Templeton
Strategic Planning & Development Manager

APPEAL PROCEDURE GUIDANCE

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 AS AMENDED

Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulation 2010

If the Applicant is aggrieved by the decision of the Planning Authority to refuse permission for tree work, or to grant permission subject to conditions, the Applicant may appeal to Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997, as adapted and modified, within three (3) months from the date of this notice. The Notice of Appeal should be addressed to:

The Directorate for Planning and Environmental Appeals
4 The Courtyard
Callendar Business Park
Falkirk
FK1 1XR
Email: dpea@gov.scot

Notice of Appeal Forms and further guidance should be obtained from the above address or from the Directorate for Planning and Environmental Appeals Website at <https://www.gov.scot/publications/tree-works-consent-appeals-form-guidance/>