



## DEVELOPMENT SERVICES

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Moray Council

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Sent by email to

Your reference:

Our reference: 2021/TPO/011

## 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 (Dunkinty House, Elgin) Tree Preservation Order 2003**

**Removal of 37 trees and end-weight reduction of overhanging branch by up to 5m of 1 x Horse Chestnut [T42] at Plots 1-4 and East & West of Old Railway at Dunkinty House, Elgin**

With reference to the application for works to trees received on 20 December 2021, Moray Council hereby **PART GRANTS and PART REFUSES** permission for the above works in accordance with particulars below.

The Moray Council **GRANTS** permission for the removal of 1 x Norway Spruce [T676, Plot 1], 3 x Scots Pine [T234; T235 and T237, West of Old Railway], 1 x Beech [T38, East of Old Railway], 1 x Elm [T227, West of Old Railway] & 1 x Wych Elm [T45, East of Old Railway] and end-weight reduction of overhanging branch by up to 5m of 1 x Horse Chestnut [T42, East of Old Railway], subject to conditions attached to this consent.

The Moray Council **REFUSES** permission for the removal of 22 x Norway Spruce, 3 x Douglas Fir, 2 x Sycamore, 1 x Beech, 1 x English Oak and 1 x Goat Willow for the following reasons:-

The trees are in healthy condition and do not display fail indicators. The woodland provides significant amenity value and is a vital habitat corridor and as such the large-scale removal of healthy trees will result in an unacceptable significant adverse impact on the TPO and local biodiversity.

### CONDITIONS:-

1. The work(s) shall be carried out in accordance with British Standard BS:3998:2010 by a fully certified and insured tree surgeon.

Reason: To safeguard the health and condition of trees.

2. The works shall not damage other trees in close proximity, leading to a loss of amenity value.

Reason: To safeguard the health and condition of trees in close proximity.

3. 7 replacement trees, of a minimum 'Heavy Standard' specification, shall be planted during the planting season immediately following the completion of tree works. Details of the siting, species, height (at the time of planting) and protection measures of replacement trees shall be submitted to and agreed in writing by the Planning Authority prior to planting.

Reason: To maintain the amenity value protected by The Moray Council (Dunkinty House, Elgin) Tree Preservation Order 2003.

4. Consent is valid for 2 years from the date of this notice.

Reason: To enable the Planning Authority to have regard to future amenity.

Date of Notice: 19 January 2022

**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](mailto: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/>



**NOTIFICATION OF COMPLETION OF WORKS TO TREES PROTECTED BY TREE  
PRESERVATION ORDER (TPO)**

Application Number: 2021/TPO/011

Date of Decision Notice: 19/01/2022

Location and description of works: \_\_\_\_\_

\_\_\_\_\_

Name, address and contact details of contractor: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of completion of works: \_\_\_\_\_

Signed: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Date: \_\_\_\_\_

Please complete and return this form **within one month of completion** to:

Moray Council  
Strategic Planning & Development,  
Council Offices,  
High Street,  
Elgin,  
IV30 1BX

E-mail: [localdevelopmentplan@moray.gov.uk](mailto:localdevelopmentplan@moray.gov.uk)