



DEVELOPMENT SERVICES

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Your reference:

Our reference: 2022/TPO/008

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 5 Norway Spruce [T681, 682, 683, 684 and 685] at 11 Dunkinty, Elgin

With reference to the application for works to trees received on 29 June 2022, Moray Council hereby **GRANTS** permission for the above works as described in the application and accompanying plan, subject to the conditions attached to this consent.

Date of Notice: **02 August 2022**

Gary Templeton

Strategic Planning & Development Manager

CONDITIONS:-

1. The works shall be carried out in accordance with BS:3998:2010 by a fully certified and insured arborist.

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. 5 replacement trees, of a minimum '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.

ADVISORY NOTES

The permission of the landowner(s) where the trees are located must be obtained prior to any tree works being undertaken.

Bats and their roosts, even when not in use, are protected under the Conservation (Natural Habitats) Regulations 1994 as European Protected Species. Prior to commencement of works, a survey for the presence of bats and their roost should be undertaken. If bats are found, a licence is required from [NatureScot](#) to carry out works to the trees.

All birds and their nests are protected under the Wildlife and Countryside Act 1981. Prior to the commencement of works, a survey for the presence of nesting birds should be undertaken.

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/>



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

Application Number: 2022/TPO/008

Date of Decision Notice: 02/08/2022

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