

APPENDIX 3

Findhorn Village Entrance TPO – Comments and Proposed Response

Comment/Objection	Proposed Response
Objection to the inclusion of entire are of Cullerne Gardens as most of the area is agricultural land and does not contain trees. Concerns that the food production may unreasonably restrict activities and a balance has to be kept between tree growth and crop production. Believe that most trees in Cullerne Gardens have little or no visual or physical impact on surrounding public areas and would not object if the area immediately adjacent to the public road was to be excluded. TPO is unreasonably restrictive as tree diameters of 10cm are not very big.	The Council believes that the trees within Cullerne Gardens play a strong part in creating the entrance gateway into Findhorn. Acknowledging that the central part of Cullerne Gardens is used for food production, the Council proposes that the boundaries of the TPO be amended to exclude this part of the Gardens from the TPO. The diameter of a tree which is provided under exemptions is set out in legislation and is not open to challenge.
Notes that a professional tree surgeon is used to provide maintenance to various trees within gardens. Concerns about what maintenance is allowed under the TPO.	Any works proposed on a tree(s) within the TPO (whether it is maintenance, removal or other) requires to be submitted to the Council, as Planning Authority, for consideration. Proposals which are deemed acceptable are subject to the works being carried out by a qualified tree surgeon and on the basis that the works will not damage the trees leading to a loss of amenity value.