

**THE HIGHLAND COUNCIL TREE PRESERVATION ORDER**  
**No. HC137, 2021 UPPER OSTAIG, KILBEG, SLEAT**

NOTICE IS HEREBY GIVEN in terms of Regulation 4 of the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010 of the following particulars in relation to The Highland Council Tree Preservation Order No. HC137, 2021 Upper Ostaig, Kilbeg, Sleat, which was made on 2 June 2021.

1. The reason for making this Order is: This small area of woodland is a valuable amenity feature containing two particularly notable trees (horse chestnut and walnut). The woodland provides an important visual separation between the Ostaig Farm Square and Cottages to the east, which are Category B listed buildings, and the proposed development site to the west, referred to as Upper Ostaig. The proposed development site at Upper Ostaig has been allocated in the Adopted West Plan for Mixed Use (ES05), with an indicative housing capacity of 16 units. This includes a developer requirement to 'protect and enhance boundary trees'. A planning application (20/04244/FUL) has been submitted for 18 units, which includes an access onto the minor road to Tarskavaig. The visibility splay associated with the proposed access point involves the removal of a section of the woodland, including the two most notable trees. The Order will allow the Council to protect this important woodland feature and to encourage appropriate longer-term management.
2. As the Council Service Points are currently closed, a certified copy of the Order has been deposited for inspection on the Council's website: [www.highland.gov.uk](http://www.highland.gov.uk)
3. Objections and representations in respect of the Order may be made, in writing, to The Highland Council at Planning and Development Service, Council Buildings, Glenurquhart Road, Inverness, IV3 5NX (Ref: NR/TPO/HC137), not later than 28 days from the date of the service of the Notice of the making of the Order or the date of publication of the Notice by advertisement as the case may be. Objections and representations shall state the grounds thereof and shall specify the particular trees or groups of trees in respect of which the Order is made.
4. The Planning Authority shall, before deciding whether to confirm the Order, take into consideration any objections and representations duly made in accordance with the said Regulation 4.
5. Section 161 of the Town and Country Planning (Scotland) Act 1997, as amended states that a Tree Preservation Order takes effect on such date as may be specified in the Order but expires 6 months after it is made unless it has, within that period, been confirmed by the planning authority without modification or subject to such modifications as the planning authority consider expedient.

Stewart D Fraser  
Head of Corporate Governance  
Council Buildings  
Glenurquhart Road  
Inverness IV3 5NX