



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART VII

#### SPECIAL CONTROLS

#### CHAPTER I

#### TREES

#### *General duty of planning authorities as respects trees*

### **159 Planning permission to include appropriate provision for preservation and planting of trees.**

It shall be the duty <sup>F1</sup>...—

- (a) [<sup>F2</sup>of the Scottish Ministers and the planning authority] to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees, and
- (b) [<sup>F3</sup>of the planning authority] to make such orders under section 160 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise<sup>F4</sup>, and
- (c) of the planning authority from time to time to review any order made in exercise of their powers under that section and to consider whether it is requisite to vary or revoke the order in question.]

*Status: Point in time view as at 30/11/2017.*

*Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 159 is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### **Textual Amendments**

- F1** Words in s. 159 repealed (1.4.2007) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 28(1)(a)**, 59(2); [S.S.I. 2007/130, art. 2\(2\)](#), **sch.**
- F2** Words in s. 159(a) inserted (1.4.2007) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 28(1)(b)**, 59(2); [S.S.I. 2007/130, art. 2\(2\)](#), **sch.**
- F3** Words in s. 159(b) inserted (1.4.2007) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 28(1)(c)**, 59(2); [S.S.I. 2007/130, art. 2\(2\)](#), **sch.**
- F4** S. 159(c) and word added (1.2.2011) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 28(1)(d)**, 59(2); [S.S.I. 2010/400, art. 3](#), **sch.**

#### **Modifications etc. (not altering text)**

- C1** S. 159 excluded (1.4.2007) by [Town and Country Planning \(Marine Fish Farming\) \(Scotland\) Order 2007 \(S.S.I. 2007/268\)](#), arts. 1(1), **3(2)(c)** (with art. 14(3))

**Status:**

Point in time view as at 30/11/2017.

**Changes to legislation:**

Town and Country Planning (Scotland) Act 1997, Section 159 is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.