Docusign Envelope ID: 99401112-F032-871F-8095-F806236A0332

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY OR PROPERTY IN WHICH YOU HAVE AN INTEREST

HIGH HEDGES (SCOTLAND) ACT 2013

HIGH HEDGE VARIATION NOTICE

REFERENCE NUMBER: 25/01550/HIGH
Grosvenor Crescent and Lansdowne Crescent

To: Owner/Occupier

1. **THIS IS A FORMAL HIGH HEDGE VARIATION NOTICE ("Variation Notice")** issued by The City of Edinburgh Council (hereafter referred to as "the Council") under Section 10(1)(b) of the High Hedges (Scotland) Act 2013 (hereafter referred to as "the Act") in respect of the High Hedge Notice dated 6 August 2026 (the **"Notice"**) which Notice was issued pursuant to a complaint about the high hedge identified in Section 2 of this Variation Notice. The Council decided that the hedge in question both constitutes a high hedge for the purposes of the Act and adversely affects the enjoyment of the domestic property (identified in Section 4 of this Variation Notice) which an occupant of that property could reasonably expect to have. The Council decided that action should be taken in relation to the high hedge with a view to remedying the adverse effect and, where stated, preventing its recurrence. The Council has taken the decision to vary the Notice in accordance with the terms hereof due to the inclusion of an erroneous date in Section 6 of the Notice and the varied terms are set out in this Variation Notice.

2. **THE HIGH HEDGE TO WHICH THIS VARIATION NOTICE RELATES**

Hedge formed of three Leyland cypress trees located to the south of 8 Grosvenor Crescent, Edinburgh within Grosvenor and Lansdowne Crescent Gardens, Edinburgh (shown outlined in orange on the attached plan).

3. **LAND UPON WHICH THE HIGH HEDGE IS SITUATED**

Grosvenor and Lansdowne Gardens, Edinburgh (shown outlined in blue on the attached plan).

For the purposes of the Act, this constitutes "the Neighbouring Land".

4. **THE DOMESTIC PROPERTY AFFECTED BY THE HIGH HEDGE**

1F, 8 Grosvenor Crescent, Edinburgh, EH12 5EP (shown outlined in red on the attached plan).

5. **REASON FOR THE NOTICE AND THIS VARIATION NOTICE**

The reason for the Notice is
To remedy and prevent an unacceptable impact on the reasonable enjoyment of the affected property.

The reason for this Variation Notice is

Docusign Envelope ID: 99401112-F032-871F-8095-F806236A0332

To amend the time for compliance due to the inclusion of an erroneous date in Section 6 of the Notice

6. WHAT YOU ARE REQUIRED TO DO

Initial Action

The following action must be taken to remedy the adverse effect of the high hedge and/or prevent the recurrence of the adverse effect:

i. The hedge (shown in orange on the attached plan) must be cut to a height of no more than 13 metres along its full length.

Time for Compliance: The initial action specified above must be carried out before 28 February 2027.

Preventative Action

After the compliance period outlined above, the following steps must be taken in order to prevent a recurrence of the adverse effect of the high hedge:

i. The hedge (shown in orange on the attached plan) must not be allowed to reach a height of greater than 14.35 metres along its full length.

7. WHEN THIS VARIATION NOTICE TAKES EFFECT

This Notice takes effect on 30 November 2026 unless an appeal is made against it beforehand, as explained in Schedule 1 of this Variation Notice.

8. EFFECT OF THIS HIGH HEDGE VARIATION NOTICE

This Variation Notice is binding on every person who is for the time being an owner of the Neighbouring Land specified in this Variation Notice.

9. YOUR RIGHT OF APPEAL

You can appeal against this Variation Notice; however **any appeal must be received by Scottish Ministers within 28 days of the date on this notice**. Schedule 1 to this Variation Notice provides information on your rights of appeal. Please read it carefully.

Docusign Envelope ID: 99401112-F032-871F-8095-F806236A0332

10. WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Variation Notice, it will take effect on the date outlined in Section 7 above and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified. Enforcement action may be taken following non-compliance and this is explained in Schedule 1.

Date: 2 November 2026

Signed: **Signed by:** Morven Coulter

Morven Coulter, Proper Officer on behalf of The City of Edinburgh Council

Docusign Envelope ID: 99401112-F032-871F-8095-F806236A0332

HIGH HEDGE VARIATION NOTICE

SCHEDULE 1

This is Schedule 1 referred to in the foregoing High Hedge Variation Notice issued by The City of Edinburgh Council.

EXPLANATORY NOTE FOR THOSE IN RECEIPT OF A HIGH HEDGE VARIATION NOTICE

Relevant Legislation

A copy of the relevant sections of the High Hedges (Scotland) Act 2013 (the "Act") is attached.

Right of Appeal

Every owner and occupier of the domestic property identified in Section 4 of this Notice, and every owner and occupier of the Neighbouring Land (see Section 3 of this Notice) has a Right of Appeal against this Notice, under Section 12(2)(b) of the Act.

An appeal must be lodged in writing on a form supplied by the Directorate for Planning & Environmental Appeals and the grounds of appeal must be clearly stated. An appeal form is available from the Directorate for Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

Your appeal must be received by Scottish Ministers within 28 days of the date on this Notice. Scottish Ministers have no power to consider an appeal lodged out of time.

If you lodge an appeal, this High Hedge Variation Notice will be suspended and will not take effect unless the appeal is withdrawn or dismissed.

Enforcement Action Following Non-Compliance with a High Hedge Variation Notice

Where there is a failure to comply with requirements of a High Hedge Variation Notice, the Council is entitled to authorise a person(s) to take action under Section 22 of the Act to achieve compliance and to recover the expenses of that action.

Offences in Relation to Enforcement Action

Please note that it is an offence under Section 24 of the Act intentionally to prevent or obstruct a person authorised to take action from acting in accordance with the Act.

Docusign Envelope ID: 99401112-F032-871F-8095-F806236A0332

Relevant Section of the High Hedges (Scotland) Act 2013

Appeals

12 Appeals

(1) The applicant may appeal to the Scottish Ministers against—

(a) a decision by a relevant local authority under section 6(5)(a) that there is no adverse effect,

(b) a decision by a relevant local authority under section 6(5)(b) that no action should be taken in relation to the high hedge.

(2) A person mentioned in subsection (3) may appeal to the Scottish Ministers against—

(a) the issuing by a relevant local authority of a high hedge notice, or

(b) the withdrawal or variation of a notice by a relevant local authority under section 10(1).

(3) Those persons are—

(a) every owner and occupier of the domestic property identified in the high hedge notice, and

(b) every owner and occupier of the neighbouring land.

(4) An appeal must be made before the end of the period of 28 days beginning with—

(a) in the case of an appeal under subsection (1), the date of the notification given by the authority under section 7,

(b) in the case of an appeal under subsection (2)(a), the date of the notification given by the authority under section 8(4),

(c) in the case of an appeal under subsection (2)(b), the date of the notification given by the authority under section 10(3) or (6).

13 Effect of appeal

(1) This section applies during the period beginning with the making of an appeal and ending with its final determination, withdrawal or abandonment.

(2) Where the appeal is made under section 12(2)(a), the high hedge notice has no effect.

(3) Where the appeal is made under section 12(2)(b)—

(a) the high hedge notice has no effect, and

(b) the withdrawal or variation has no effect.

14 Determination of appeal

(1) Where an appeal is made under section 12(1), the Scottish Ministers may—

(a) confirm the decision to which the appeal relates, or

(b) quash the decision of the authority under section 6(5)(a) or (b), with or without issuing a high hedge notice.

(2) Where an appeal is made under section 12(2), the Scottish Ministers may—

(a) confirm the high hedge notice or decision to which the appeal relates,

(b) quash the high hedge notice or decision, or

(c) vary the high hedge notice issued under section 8(1) or, as the case may be, 10(6)(a).

(3) A high hedge notice issued or varied under this section is to be treated as if issued or varied by the relevant local authority.

15 Person appointed to determine appeal

(1) An appeal may be determined by a person appointed by the Scottish Ministers for that purpose instead of by the Scottish Ministers.

(2) An appointed person has, in relation to the appeal, the same powers and duties as the Scottish Ministers have under this Act.

Docusign Envelope ID: 99401112-F032-871F-8095-F806236A0332

(3) Where an appeal is determined by a person appointed by the Scottish Ministers, the decision is to be treated as if it were a decision of the Scottish Ministers.

16 Notice of determination

(1) As soon as is reasonably practicable after determining an appeal the Scottish Ministers must—

(a) where they have made a determination in accordance with section 14(1)(b) and are to issue a high hedge notice—

(i) issue the high hedge notice,

(ii) give a copy of the high hedge notice to the persons mentioned in subsection (2), and

(iii) notify those persons of the reasons for their decision,

(b) where they have made a determination in accordance with section 14(2)(c)—

(i) issue a revised high hedge notice,

(ii) give a copy of the revised notice to the persons mentioned in subsection (2), and

(iii) notify those persons of the reasons for their decision,

(c) where they have made any other determination, notify the persons mentioned in subsection (2) of their decision and the reasons for their decision.

(2) Those persons are—

(a) the relevant local authority,

(b) every owner and occupier of the domestic property identified in the high hedge notice or, as the case may be, the revised high hedge notice, and

(c) every owner and occupier of the neighbouring land.

17 Period for taking initial action following appeal

(1) This section applies where an appeal under section 12(2) is—

(a) determined, or

(b) withdrawn or abandoned by the person making the appeal.

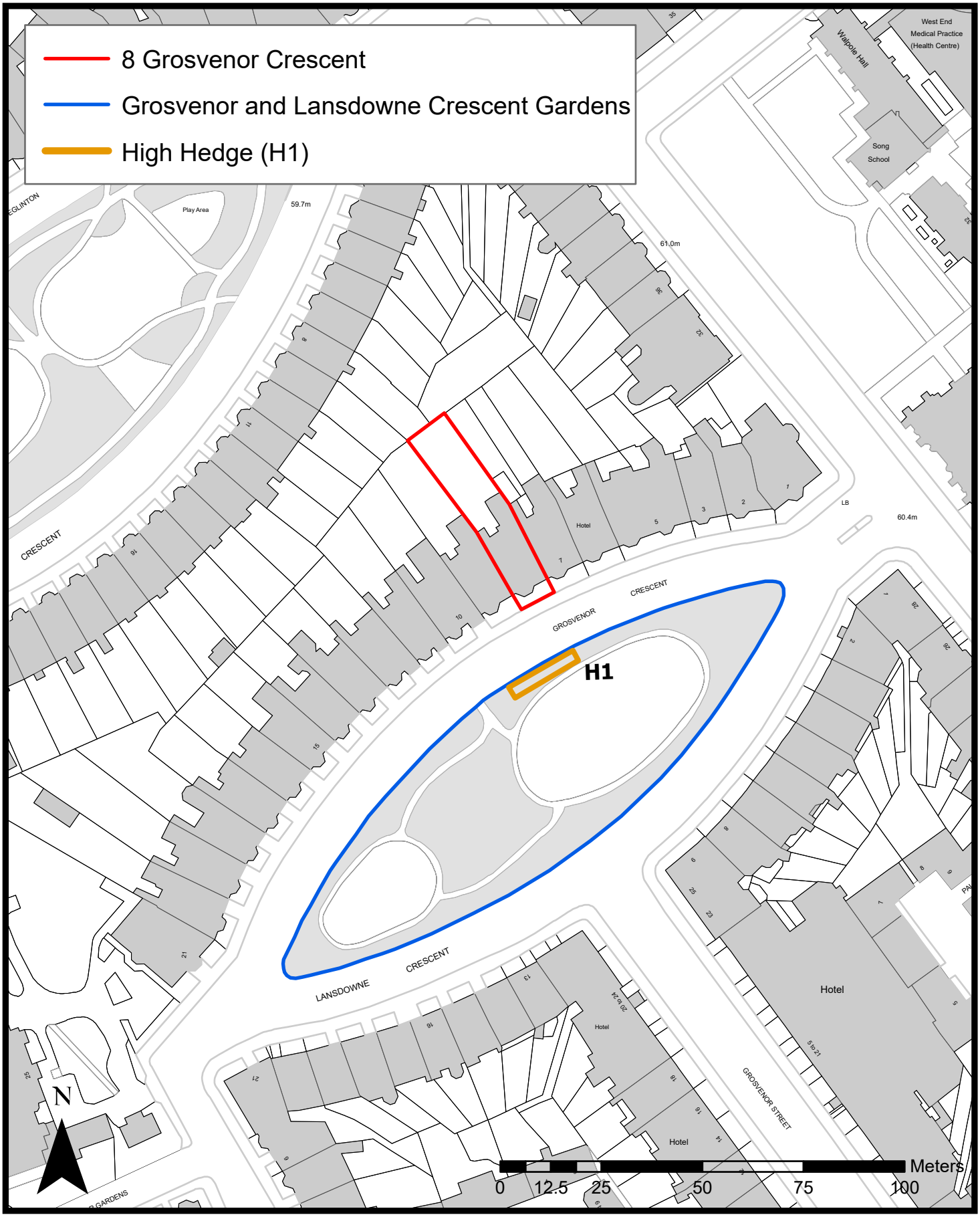
(2) The compliance period for the initial action specified in the high hedge notice or revised high hedge notice is to be taken as beginning on—

(a) the day on which the appeal is determined, or

(b) such later day as is specified in the revised notice issued under section 16(1)(b).

(3) Where the appeal is withdrawn or abandoned, the compliance period for the initial action specified in the high hedge notice is to be taken as beginning on the day on which the appeal is withdrawn or abandoned.

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ADDRESS	**Grosvenor and Lansdowne Crescent Gardens**	REF. NO. 25/01550/HIGH

HIGH HEDGE NOTICE

This is the plan referred to in the foregoing High Hedge Notice issued by The City of Edinburgh Council

City of Edinburgh Council - Planning