

17 MAR 2017

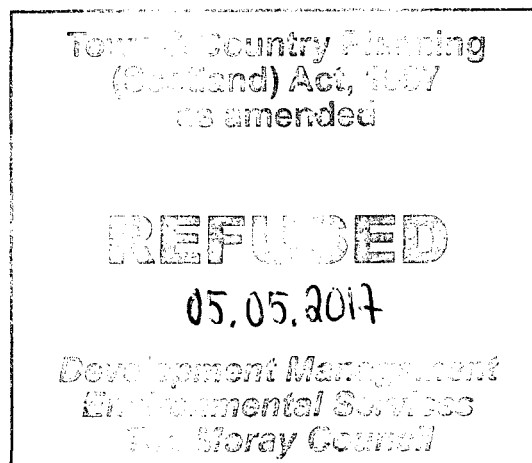
## TREE SURVEY and REPORT

For;

*Lady Haugh site*

*Arndilly*

*Craigellachie.*



Prepared by;

*Darren Garside*

*HND Arboriculture and Urban Forestry.*

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## **1. INTRODUCTION**

The following tree survey and report has been carried out in preparation of a

proposed residential development at:

*Lady Haugh site,*

*Arndilly,*

*Craigellachie,*

*Moray.*

The approximate location of the proposed dwelling, access and tree locations are shown on the accompanying site plan.

## **2. SITE DESCRIPTION**

### **2.1 Location and Overview**

The site is located adjacent to an unclassified road 200 metres north of the A95 Craigellachie to Keith road, approximately 0.5 kilometres northeast of Craigellachie village, at National Grid Reference NJ 294453.

The site itself has an approximate area of 1250 sq. metres (0.125 Ha), and lies at an altitude of 100 metres above mean sea level. The western boundary is defined by a steep embankment falling to the river Spey floodplain, with an embankment rising to the unclassified road which defines the eastern boundary. To the north, an 11kv electricity transmission line effectively defines the site limits. The aspect is westerly towards the river Spey floodplain, and the main area of the site is of relatively level ground. The southern boundary is less distinct, and has been taken to be positioned in the proximity of the marked telegraph pole.

The vegetation present is of mixed deciduous woodland, dominated by Sycamore, and in an early stage of development, with larger trees situated at roadside. The understorey consists of occasional Elder, Hawthorn, Blackthorn and Sycamore regeneration, although this is sparse and in generally poor condition.

The immediate area is predominantly deciduous or mixed woodland, although the western embankment has a more open tree cover, dominated by Sycamore and Alder. The presence of this adjacent woodland, along with higher ground to the west, provides an element of effective wind shelter, with only the more open western aspect being exposed, although the open woodland upon the western embankment will diffuse the more severe effects of this exposure as it continues to develop.

## **2.2 Geology and Soils**

The geology of the site consists of Grampian Group metamorphic (metamorphosed marine sedimentary and volcanic rocks) bedrock, overlain with Devensian Till (glacial deposits).

The soil profile is of a shallow Brown Earth (12-15cm topsoil over a stony subsoil), with a pH of 6.5 and a fresh-moist Soil Moisture Regime (SMR).

## **2.3 Climate**

The climate of the locality is typical of much of the Moray region in having high summer temperatures for its relative UK latitude, combined with low rainfall totals and long hours of sunshine. The northerly latitude of the site has a direct bearing on winter conditions, with on average 15 days per month having an air frost from 1<sup>st</sup> December-28<sup>th</sup> February.

Winds are a prevailing westerly, often gusty due to being in the lee of high ground, although cold, desiccating North-North easterly winds can be a feature of the winter period.

## **2.4 Potential Constraints**

### *Legal Constraints*

Investigation with the Local Planning Authority (LPA) has revealed that there are no Tree Preservation Orders (TPO's) enforced upon the site, and that the site is out with any designated Conservation Area.

As the site extent is less than 5 Ha, an Environmental Impact Assessment (EIA) is not required as defined by the forestry operations threshold (EU Directive 337 (1985)).

Investigation with Historic Scotland has revealed that there are no Scheduled Monuments present within the site boundary.

### *Ecological Constraints*

There were no direct sightings or evidence of protected species during site visits, however as the site constitutes a limited but integral part of a much wider area of woodland habitat, it is likely that species such as Badger, Red Squirrel and various raptors will utilise the site to varying degrees, although there is no evidence of permanent residence.

It should also be taken into consideration that nesting birds are protected by law (Section 1, Wildlife and Countryside Act (1981)), and reasonable measures should be taken to minimise disturbance and physical impacts. For

this reason it is recommended that forestry/arbicultural operations are avoided during the main breeding period, which for these purposes can be defined as being 1<sup>st</sup> April-30<sup>th</sup> June inclusive.

Due to the limited footprint of the site, particularly in the context of the extent of the woodland habitat present in the immediate vicinity, the environmental implications and impacts of the proposed development can be deemed to be low, although mitigative measures such as the replanting of appropriate native tree and shrub species should be given due consideration after construction operations have been completed.

#### *Additional Constraints*

Consideration must be taken of the 11kv electricity transmission line to the northern site boundary, with arbicultural operations of several adjacent trees likely to result in breaching of legally defined proximity and live zones. Appropriate communication with the local Public Utility Company (SSE/Scottish Hydro) is essential before operations commence to determine the exact extent of permission and/or restrictions imposed by the Company in relation to live High Voltage transmission lines.

### **3. TREE SURVEY DATA**

Survey data has been collected for all trees within the site boundary with a diameter at breast height (dbh) of 100mm or greater. In addition to this, several trees adjacent to the bordering unclassified road and outwith the site boundary have been included as they will require removal in order to clear stipulated sightlines from the proposed access point to the site.

For full details of tree data collected, see the accompanying Tree Survey document.

#### **3.1 Recommendations**

The following recommendations have been provided on the basis that the proposed construction operations will proceed as defined within the details/plan provided by the project architect. All proposed tree retentions are therefore subject to review once the extent of operations has been physically defined on site, and the likelihood and extent of root damage/disturbance can be determined, along with the proximity of buildings and/or services to each individual tree's potential zone of influence. This review should be undertaken in conjunction with the project Arborist.

All arbicultural operations should be carried out and completed to the minimum industry standards as defined by BS 3998 (2010).

*Trees 147-165 inclusive;*

These trees should be Felled to Ground Level in order to clear sight lines from the proposed site access point, as defined within the details/plan provided.

*Trees 166-204 inclusive;*

These trees, with the exception of those specified below, should be Felled to Ground Level in order to provide the space required for the proposed construction operations. Retention of these trees is not deemed viable as the extent of physical damage likely to occur will cause a variable combination of tree death, decline and instability.

Stumps should be excavated from the soil unless they lie within the Root Protection Area (RPA) of a tree to be retained. Stumps within this area should be left in-situ to prevent root damage.

*Trees 191, 196, 201 & 203:*

The four trees specified above should be considered as potential long-term retentions with a view to retaining an element of tree cover within the site boundaries, and enhancing available wind diffusion from the western aspect. A final decision upon the viability of these retentions should be made in agreement with the project Arborist before construction operations commence, and once the exact parameters of the construction project have been defined on-site.

*It should be noted that tree data and recommendations are accurate only to the extent allowed by the inspection method used (Visual Ground Survey/Inspection). and no attempt has been made to take unpredictable failure/events into account.*

### **3.2 Tree Protection**

Retained trees should be protected from damage during construction operations as defined by industry standards and best practice laid out in BS 5837 (2012).

The Root Protection Area (RPA) of each retained tree should be identified - this is calculated as having a radius 12 times tree diameter at breast height (dbh), and should be considered the *minimum* no-access area around each tree.

All forms of access to the RPA should be prevented via the erection of a physical barrier in the form of a galvanized steel fence with a minimum height of 2 metres and no provision for access. The fence should be fixed into a permanent position using galvanized support struts for the duration of construction works. The fence should be located outside of RPA's, preferably

with the provision of a further 1 metre buffer zone to provide maximum protection to the root system.

#### **4. CONCLUSION**

Completion of the recommended arboricultural operations should be considered preparatory work for the main process of the proposed dwelling house construction, and is intended to leave the site in a suitable condition for these works.

The possible replanting of suitable tree/shrub species to minimise environmental impact should be considered once construction operations have been completed.

#### **5. REFERENCES**

<http://www.historic-scotland.gov.uk/>

<http://www.moray.gov.uk/>

<http://www.metoffice.gov.uk/>

<http://digimap.edina.ac.uk/geologyroam>

BS 5837 (2012) - *Trees in relation to design, demolition and construction*

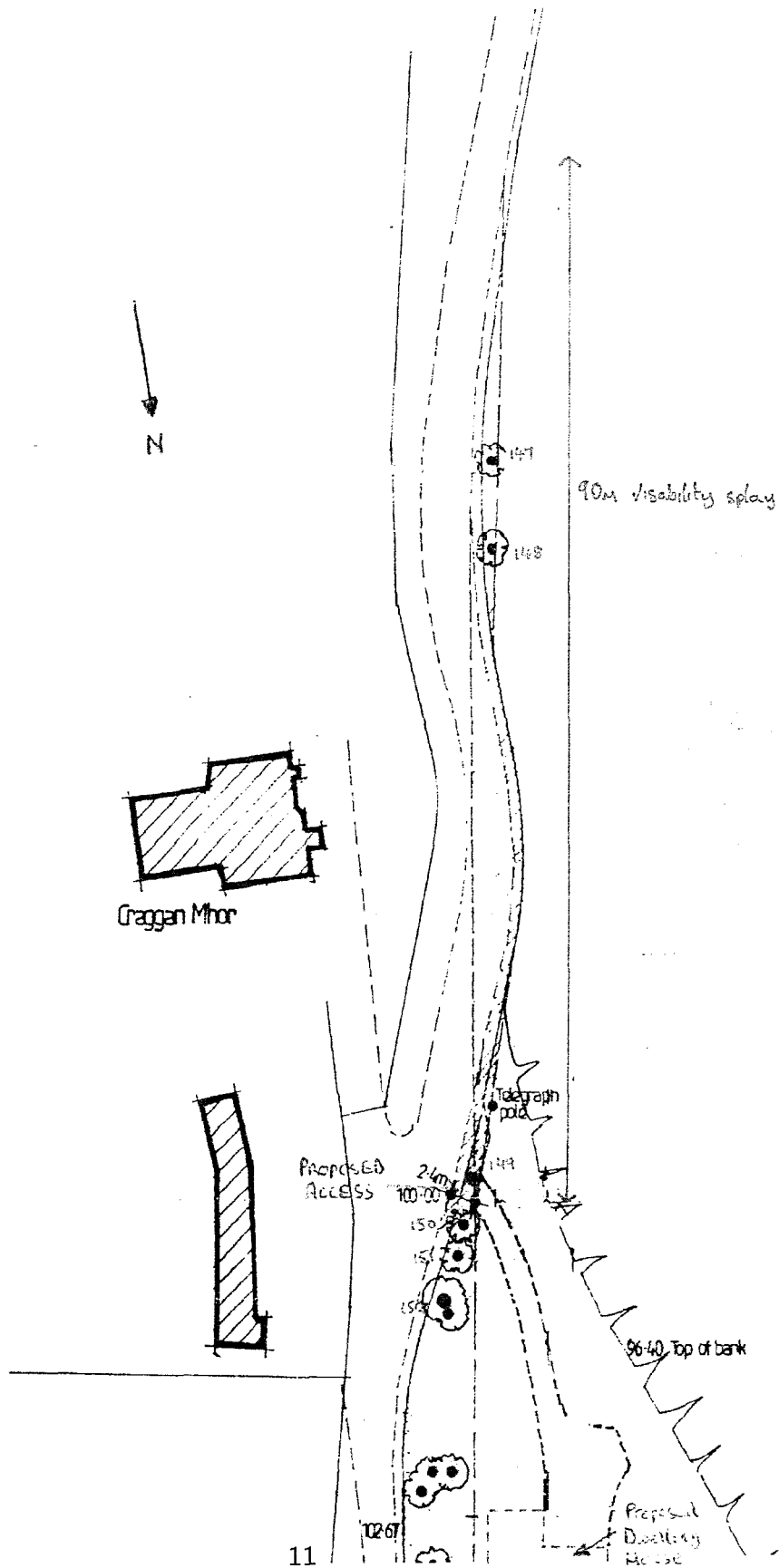
BS 3998 (2010) – *Tree Work- Recommendations*

Plans Plus, Architectural Design Consultants (*Site Plan*)

6. SITE PLAN (1)

Trees shown as  $\odot$  100

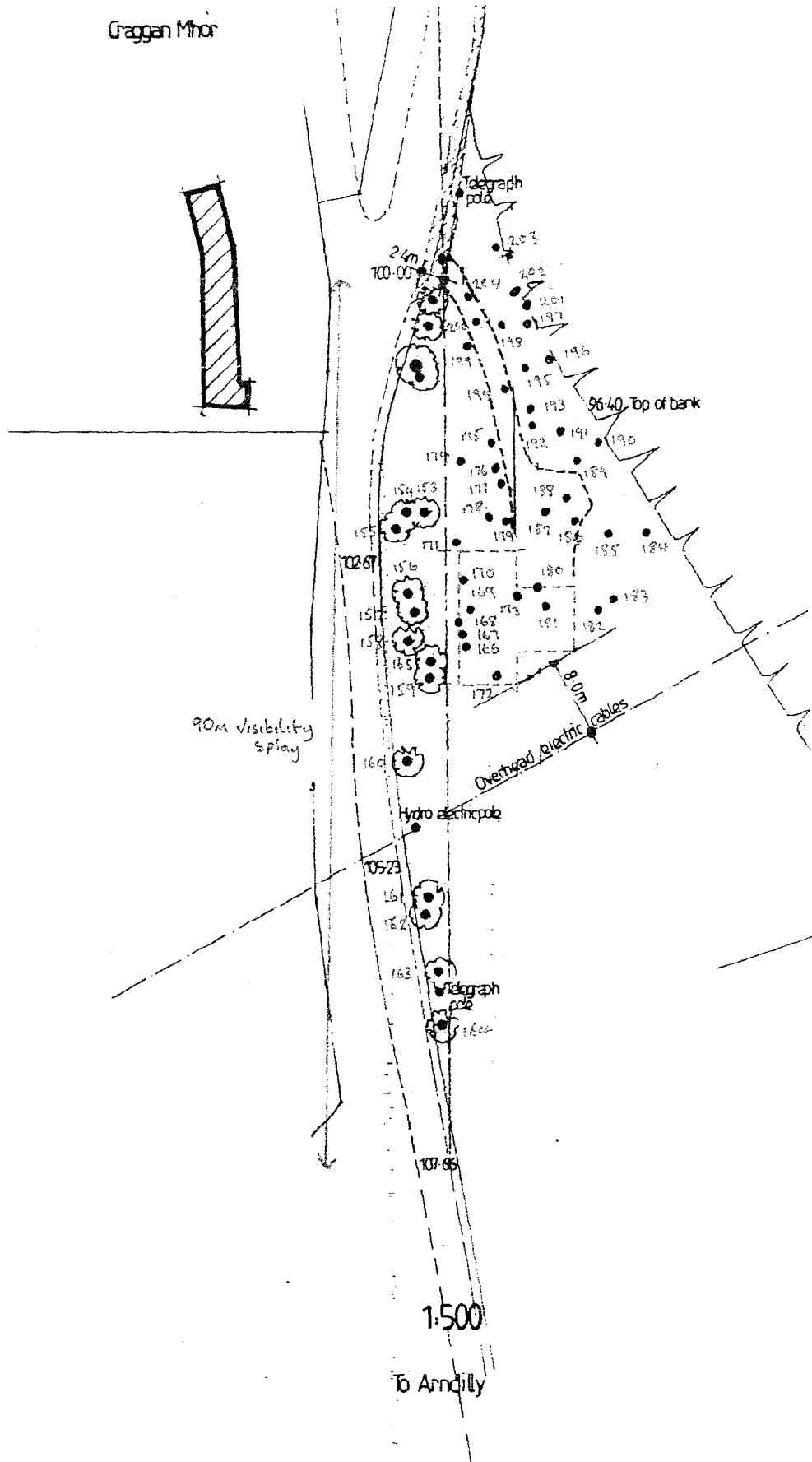
To Craigellachie

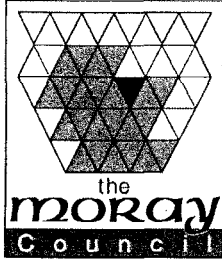




6. (ii)

Cruggan Mhor





**THE MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended**

**REFUSAL OF PLANNING PERMISSION**

**[Speyside Glenlivet]  
Planning Permission in Principle**

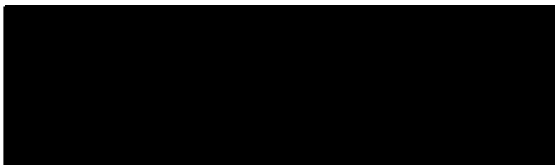
TO Madam Ariane Vilaseco  
c/o Plans Plus  
Main Street  
URQUHART  
By Elgin  
Moray  
IV30 8LG

With reference to your application for planning permission in principle under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Proposed dwellinghouse at Lady Haugh Site Arndilly Estate Craigellachie  
Moray**

and for the reason(s) set out in the attached schedule.

Date of Notice: **5 May 2017**



**HEAD OF DEVELOPMENT SERVICES**  
Environmental Services Department  
The Moray Council  
Council Office  
High Street  
ELGIN  
Moray  
IV30 1BX

**IMPORTANT**  
**YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW**

**SCHEDULE OF REASON(S) FOR REFUSAL**

By this Notice, the Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to policies E7, E2, ER2, E4, IMP1, H7 and T2 of the Moray Local Development Plan (MLDP) 2015 for the following reasons:

1. The application site is located on a prominent hillside within a part of the River Spey valley close to Craigellachie and is readily visible from the A941 to the west. The site and wider area benefits from a rural woodland character which is specifically recognised for its landscape importance and sensitivity through the Speyside AGLV designation and native woodland classification. A tree report has been provided to support of the application which shows that a significant number of trees within the site will be felled (including a large proportion that are located within the native woodland) with only 4 being retained. The impact of this tree felling together with any associated earth and construction works to form the house plot and access (which are likely to be substantial given the sloping topography of the site) will result in an unacceptable loss of woodland and significant change and detrimental impact to the rural character of not only the application site but the wider surrounding area. Any visual impact in this regard would be exacerbated further by the prominent location of the site on a hillside within the Spey Valley that would readily visible from the A941 road to the west.
2. The proposal will result in the loss of part of an identified area of native woodland which is specifically protected under the terms of policies E2 and ER2 of the MLDP, nor does it fall within any of the categories of excepted development as set out in policy E2 as there are no public benefits associated with the proposal which outweigh the nature conservation value of the site and there is no specific locational requirement for the site to be developed as a private dwelling.
3. The principle of development and associated woodland removal on the site within this sensitive landscape location is therefore unacceptable and contrary to the objectives and principles of policies E7, E2, ER2, E4, IMP1, H7 and T2 of the Moray Local Development Plan.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

The following plans and drawings form part of the decision:-

Reference	Version	Title
1		Location plan and site/visibility splay
2		Indicative elevations and floor plans

**NOTICE OF APPEAL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, The Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from [www.eplanning.scot/eplanningClient](http://www.eplanning.scot/eplanningClient)

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.