

Mrs Lissa Rowan
Committee Services Officer
Clerk to Moray Local Review Body
Moray Council
Council Offices
High Street
Elgin
IV30 1BX

30 August 2017

Dear Mrs Rowan,

Notice of Review: Planning Application 17/00400/PPP - to erect a new dwelling house at Lady Haugh Site, Arndilly, Craigellachie

Many thanks for the confirmation that the Moray Local Review Body (MLRB) will consider our original representations, that the application should be refused as it is contrary to the local plan especially because of its impact on woodland and sensitive landscape.

We are pleased to note that in the determination to refuse the application the planning authority confirms that the application breaches E7, E2, ER2, E4, IMP1, H7 and T2 of the Moray Local Development Plan (2015) and is 'contrary to the objectives and principles of the policies'.

Having reviewed the appellants grounds for appealing against the original decision http://www.moray.gov.uk/moray_standard/page_114803.html there are 4 reasons advanced:

1. 'It is not possible to see the plot' from the A941;
2. 'This house will not be any intrusion on the landscape';
3. 'The appellant is not adverse to planting additional trees';
4. Precedent: 'two other identical applications'.

We hope that the Moray Local Review Body agrees that none of these arguments outweigh the objectives and principles of the Moray Local Development Plan and warrant the original decision to refuse permission being overturned.

The four points themselves are not substantive and do not outweigh the grounds for refusal:

1. The importance of the woodland is not determined by its visibility from the A941 road. Either it is worthy of protection or it is not. It is however untrue to suggest the plot is not visible from sections of the A941, and with the trees along the route being largely deciduous, the plot is clearly visible along most of the route following abscission.
2. Removing more than 50 trees in a protected woodland area will have a detrimental impact on the sensitive environment and landscape.

3. The main reason for constructing a dwelling house overlooking the confluence of the River Fiddich and River Spey and across the Spey Valley is surely the view. It is scarcely credible that the appellant would remove trees to create the view and then plant trees to obscure it.
4. Precedent is not an argument in planning, where all applications need to be assessed on their merits in line with local plans and guidelines. The fact that there have been two previous planning approvals in the area, does not make a strong case for a third. It underlines the importance of upholding the original decision to maintain the integrity of this special area, otherwise it will be prayed in aid in future applications.

Given that the reasons advanced by the appellant clearly do not outweigh the objectives and principles of the Moray Local Development Plan, we hope that the Moray Local Review Body will uphold the original decision to refuse planning permission.

Yours sincerely,

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[REDACTED]
[REDACTED]
[REDACTED]