



JOHN WINK
DESIGN

Notice of Review

21/01664/PPP
Site At Stratton Wood
Fochabers

Notice of Review

Planning Reference: 21/01664/PPP

Erect dwellinghouse on Site At Stratton Wood Fochabers Moray

We seek a review on the above noted application as we believe the proposal complies with Moray Local Development Plan 2020 Policy DP1 Development Principles, DP4 Rural Housing and EP7 Forestry Woodland & Trees as outlined in the report of handling.

The refusal is for the following reasons:

The proposal for a new house on this site would not comply with the siting requirements of policies DP1 and DP4 and would result in the permanent loss of woodland which is unacceptable in terms of policy EP7 and refusal is recommended.

DP4 Rural Housing

d) New Houses in the Open Countryside

The proposed dwelling is not within a pressurised or sensitive area and should therefore be assessed under the criteria for areas of intermediate pressure.

1. There must be existing landform, mature trees, established woodland or buildings of a sufficient scale to provide acceptable enclosure, containment and backdrop for the proposed new house. These features must be immediately adjoining the site (i.e. on the boundary). Fields drains, ditches, burns, post and wire fencing, roads and tracks do not provide adequate enclosure or containment.

The proposed site is surrounded by mature trees in an established woodland providing containment and a suitable backdrop for the proposed dwelling. There is an existing woodland track to the south of the site with the public road running from east-west along the southern boundary of the site.

2. The new house must not create ribbon development, contribute to an unacceptable build-up of housing or detrimentally alter the rural character of an area due to its prominent or roadside location.

The proposed site is expected to enhance the character of the area as the applicant/landowner will regularly maintain and provide security in the existing woodland. It is also expected to enhance the area which is enjoyed by local walkers.

A dwelling was previously approved at Stratton Woods under application 20/00350/FUL (approved 27th May 2020) where the planning documents note:

The proposal satisfies the siting/enclosure requirements of policy H7 in that the site is bounded on three sides by mature woodland. Given the secluded nature of the site, the proposed house will have minimal impact on the character of the surrounding countryside.

This site is approximately 100m away and is considered to have minimal impact on the surrounding area as per this application. There was a further application approved for the change of house type on 13th September 2021. The proposed dwelling should be considered to have minimal impact also.

3. Artificial mounding, cut and fill and/or clear felling woodland to create plots will not be permitted. 4. 15% of the plot must be landscaped with native tree species (whips and feathered trees at least 1.5 metres in height, planted at a density of 1 per 4 sqm) to assist the development to integrate sensitively. Landscaping must be set back from the public road to ensure sightlines are safeguarded, a safe distance from buildings and positioned to maximise solar gain.

The proposed dwelling sits within a clear area of woodland approximately 0.1ha where the trees were previously removed under a felling license granted by Scottish Forestry as part of the Forest

Management Plan. Additional planting within the proposed site will enhance the biodiversity of the site.



EP7 Forestry Woodland & Trees

a. Moray Forestry and Woodland Strategy

The council will consult Scottish Forestry on proposals which are considered to adversely affect forests and woodland. Development proposals must give consideration to the relationship with existing woodland and trees including shading, leaf/needle cast, branch cast, wind blow, water table impacts and commercial forestry operations.

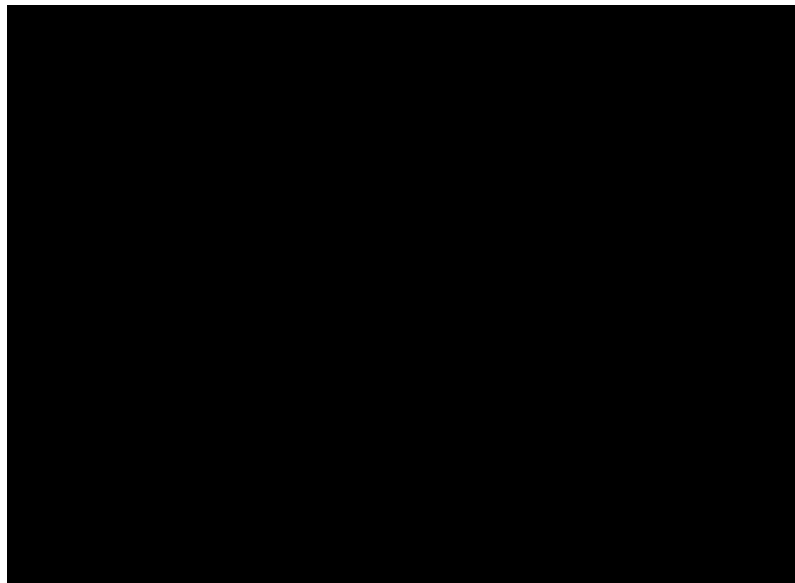
b. Tree Retention & Survey

Proposals must retain healthy trees and incorporate them within the proposal unless it is technically unfeasible to retain these. Where trees exist on or bordering a development site, a tree survey, tree protection plan and mitigation plan must be provided with the planning application if the trees or trees bordering the site (or their roots) have the potential to be affected by development and construction activity. Proposals must identify a safeguarding distance to ensure construction works, including

access and drainage arrangements, will not damage or interfere with the root systems in the short or longer term. A landscaped buffer may be required where the council considers that this is required to maintain an appropriate long term relationship between proposed development and existing trees and woodland

The proposed dwelling sits within a clear area of woodland approximately 0.1ha where the trees were previously removed under a felling license granted by Scottish Forestry as part of the Forest Management Plan.

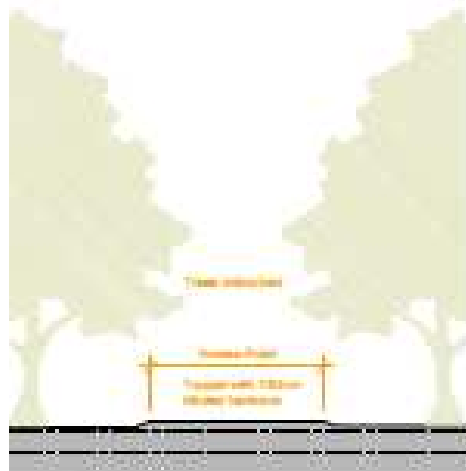
The photograph below shows there is adequate clear space for the proposed dwelling without disturbing the surrounding trees and out with the root protection area identified in the tree survey report.



The site plan shows all existing trees remaining and the area of natural clearing due to windfall and permitted tree maintenance accommodating the proposed dwelling, the drainage requirements and the meandering site access.



Finishing the access with a 100mm bladed hardcore laid on top of the existing ground will ensure that no tree roots are affected.

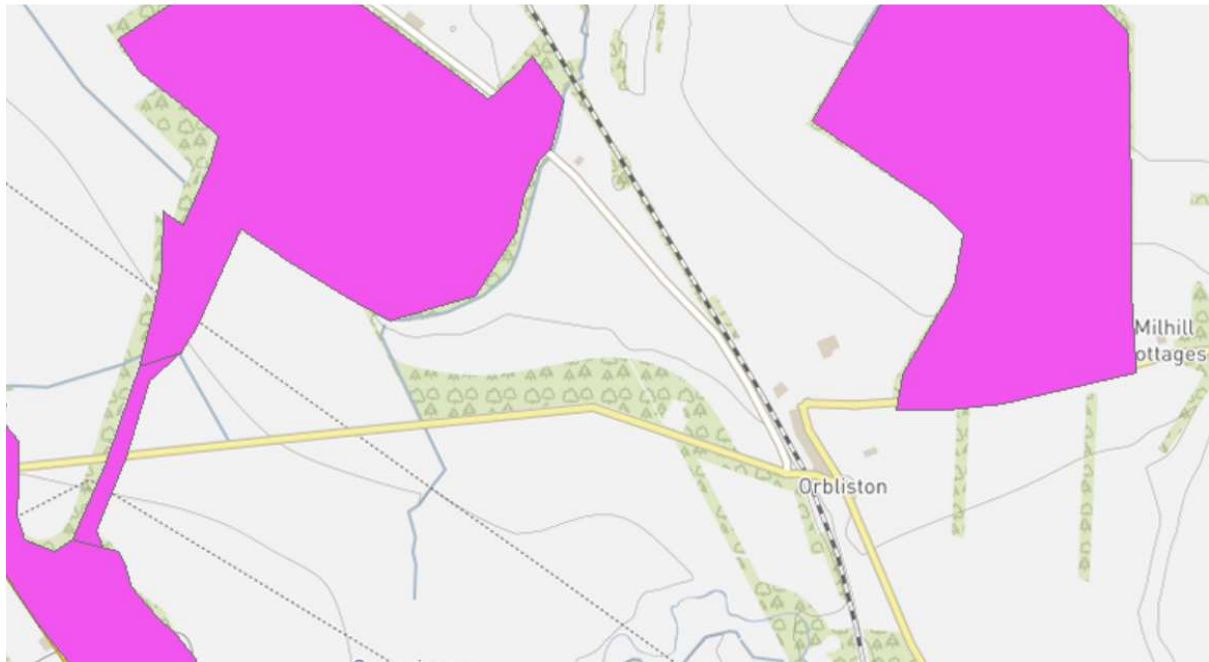


Road Section

c. Control of Woodland Removal

In support of the Scottish Government's Control of Woodland Removal Policy, Woodland removal within native woodlands identified as a feature of sites protected under Policy EP1 or woodland identified as Ancient Woodland will not be supported.

The site is not located within the Native woodland survey or ancient woodland inventory and therefore meets the requirements of this policy.



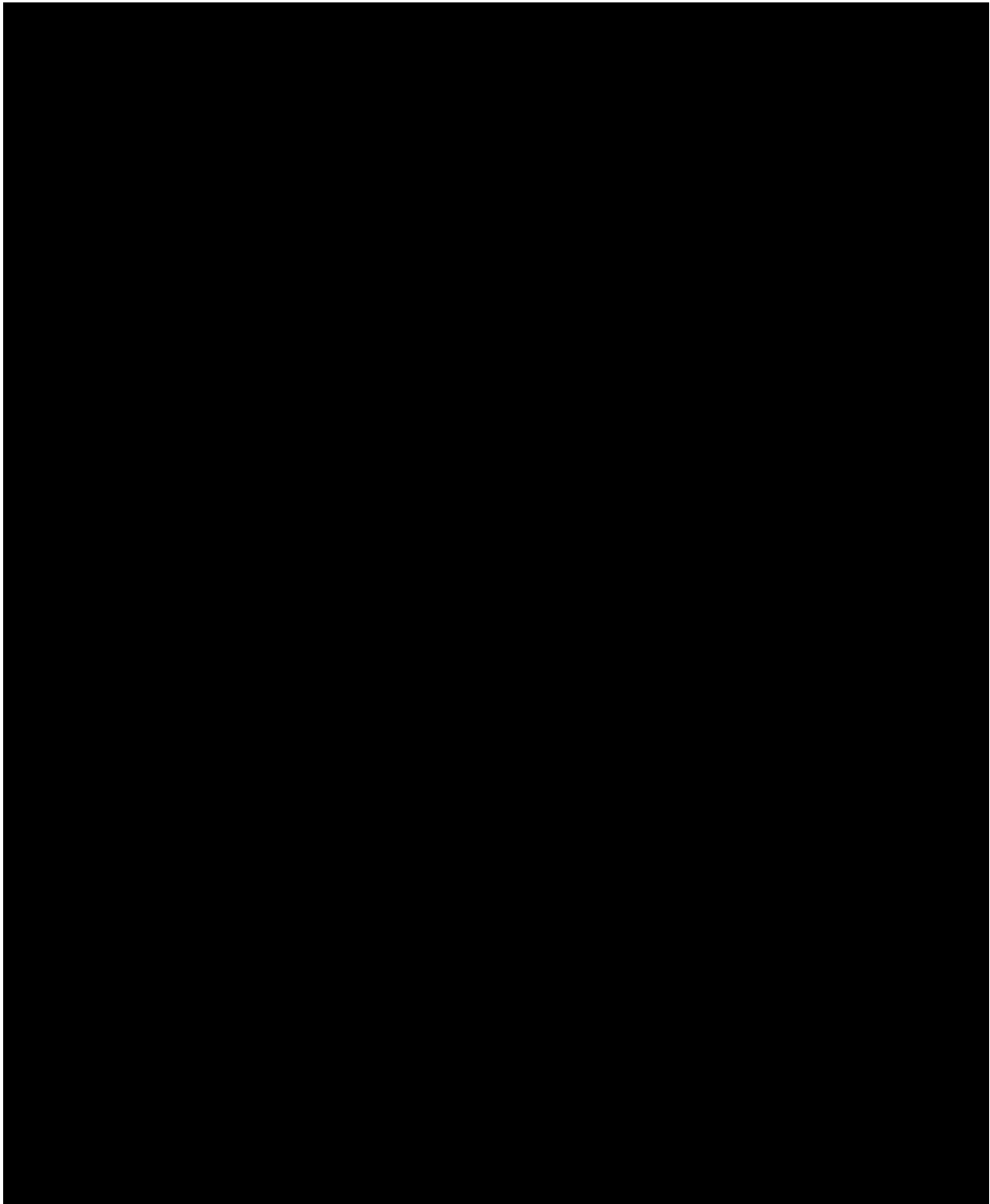
Ancient Woodland Inventory

d. Compensatory Planting

Where trees or woodland are removed in association with development, developers must provide compensatory planting to be agreed with the planning authority either on site, or an alternative site in Moray which is in the applicant's control or through a commuted payment to the planning authority to deliver compensatory planting and recreational greenspace

[REDACTED]

The compensatory site is adjacent to the Trailhead car park which serves existing walking paths at Bridgehead, Cabrach - 18/01467/APP | Formation of Trailhead car park to serve existing walking paths at | Bridgehead Cabrach Moray.



Strategic placement of indigenous tree species and hedges will create corridors with the existing trees and hedgerows surrounding the site.



Antisocial behaviour

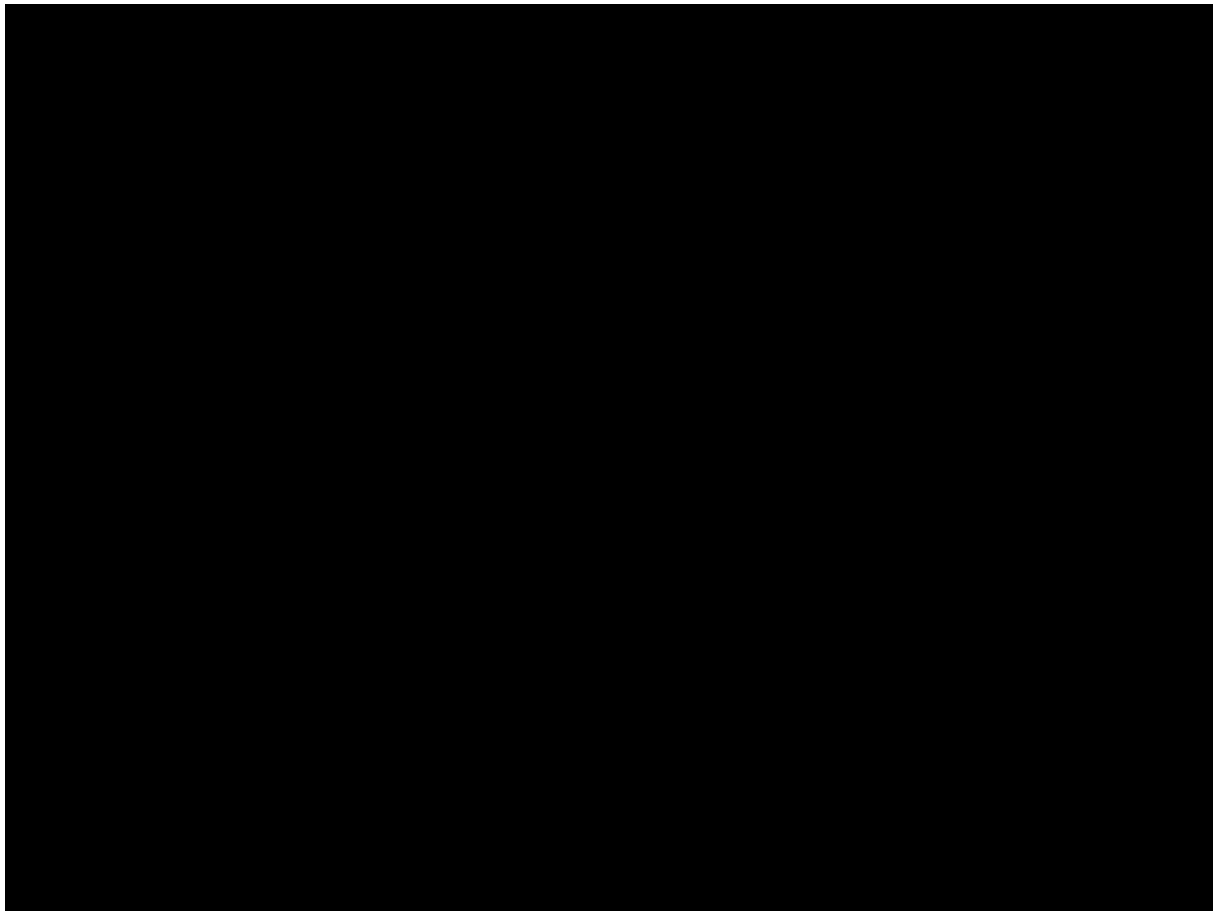
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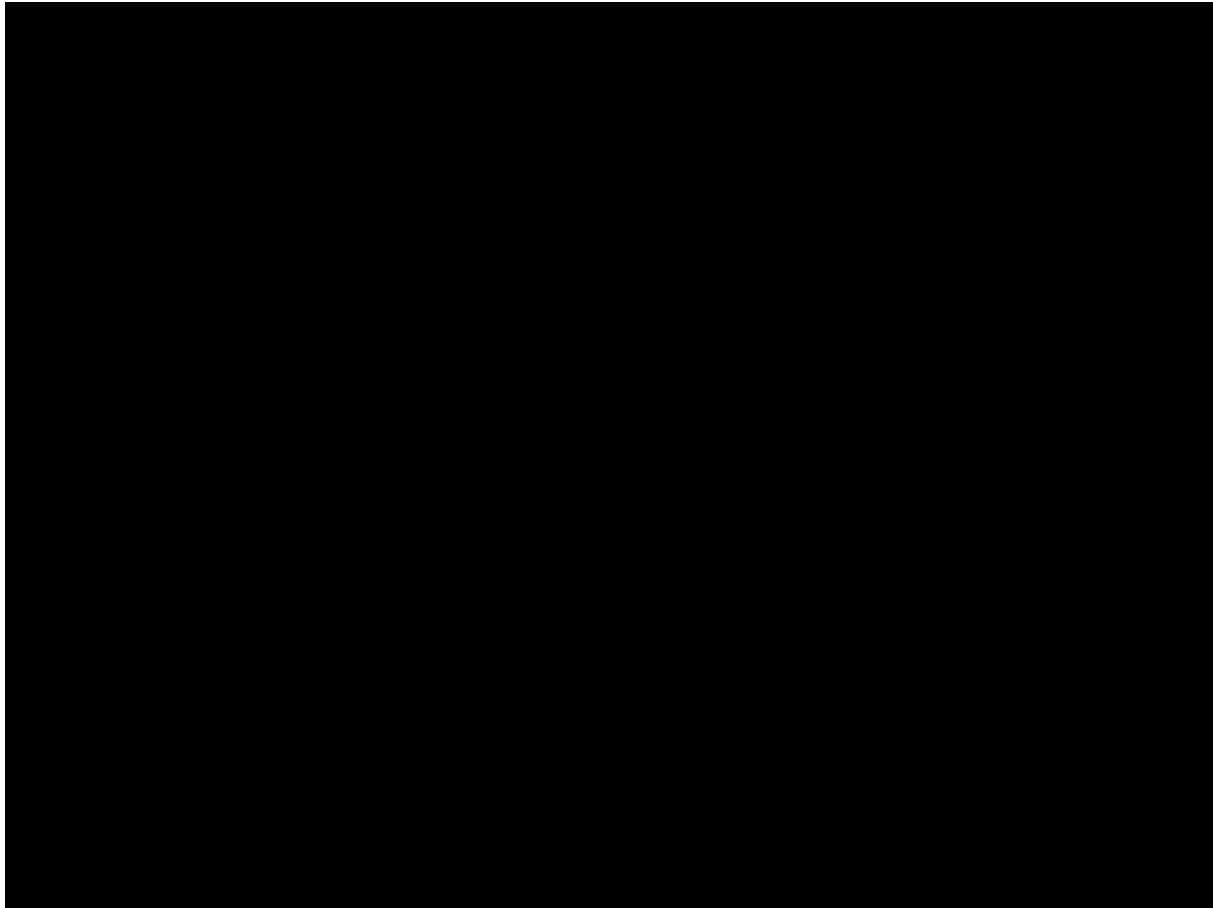
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Conclusion

In summary, we would ask that you support the application for the following reasons:

1. Due to the constraints of building within mature woodland area the proposed dwellinghouse will be located within an existing clearing.
2. The site is not located within an area of ancient woodland.
3. Constant fly tipping on the site will be deterred by a permanent presence on site and improve the quality of the environment for users and wildlife.
4. [REDACTED]