

I wish for the decision of the 28th November 2022 to be reviewed I wish the following matters to be taken into consideration.

The decision by Moray Council advised that "A visibility splay 2.4m x 70m would be required in both directions at the access onto the public road free from any obstruction greater than 0.6m in height, with all boundaries set back to a position behind the required visibility splays. The visibility splay to the west is obstructed by an existing fence and appears to pass over land not under the control of the applicant."

We instructed GMS Surveys to undertake a Topographic survey and visibility splay plus e-mapping – attached for your information. You will note the hatched extend of the crossover in red and note that the area in sqm on the drawing. There is a minimal difference to what is currently in place at the site to what is being requested by The Moray Council.

For us to move this fence by the required ask we have contacted Crown estate solicitors of that possibility. They were unable to respond to our request within the allocated time as the solution to this request is complicated with tenant farmers etc having to be consulted. In addition, as per GMC survey it does not make much difference to the visibility splay already being provided.

In our communication with Crown estates they stated that they did not understand why we were had been singled out by The Moray Council to adhere to this requirement on our planning application when other properties in the immediate area had not.

As alluded above, planning permission has already been awarded to 6 other properties along the same estate/access road , they all currently use the access road in question that joins the public road and they have were awarded full planning permission with no requirement for the above noted visibility splay. It certainly appears we are being singled out for a different treatment to that of our immediate "neighbours".

In addition the access road in question has been an access road leading on to the same public road for decades. Also, this access road onto this piece of land was being used in this way prior to our purchase many years ago, also it was/is the access road for the dwellings and farm has stood there for decades prior to our purchase.

The fence causes no impediment to the view exiting the access road and entering the public road, if anything was to hamper the view from the access to the public road it would be the street lights that have been put in place by Moray council and these are really not an issue exactly the same position as the fence.

As far as we are aware there has never been an accident exiting this access road on to the public road.