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Deleted (5)

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PROPOSED NEW HOUSE AT THE ORCHARD

From: **Maurice Booth** (maurice.booth@moray.gov.uk)
Sent: 28 April 2010 09:08:33
To: Stuart Matthew (studiodesign2000@hotmail.com)

Stuart

I have just been advised by Diane Anderson of the following :

"The gorse removed to the west of the entrance has alleviated my concerns about the visibility in this direction. I also appreciate that some cutting back of the hedgerow along the frontage of The Orchard has been undertaken, which has improved the visibility to the east. However unless this hedgerow is cutback on a regular basis it would only serve as a temporary improvement to the visibility splay.

The Moray Council has a limited budget for tree, gorse and broom maintenance and therefore cannot be relied on to cut back the hedgerow along this frontage on a basis regular enough to provide the visibility splay.

If the hedgerow/trees were to be removed then this would not be an issue. It would certainly be Transportation's preferred option. However as I understand that the hedgerow provides some screening to the site it may be the applicant's and your wish to retain this feature.

For this development to progress and reach a positive outcome for the applicant, regular maintenance of the visibility splay would be required. This maintenance would include the cutting back of the hedgerow beyond the boundary of The Orchard when it begins to overhang the road verge. If the applicant can provide an agreement with the adjacent landowner for the applicant to cut back their hedge on a regular basis to maintain the splay then I would withdraw my objection and return a positive response with conditions."

There do seem possible ways forward on the basis of this. If there was to be an agreement the red "application site" would first need revising as a basis for this and the relevant owner served with the statutory application notice by yourself to the effect that not all of the land involved in the enlarged area is within the ownership/control of yourself as applicant. This is of course assuming that the area involved to the east is outwith the required area.

Selective clearance in the interest of safety may be a preferable option, possibly with replacement screening re-

