

Applicant's review statements in black

Objector's comments in red

Applicant's comments in response to objector's comments in green 24 March 2017

Dear Moray Planning Department,

Please register my objections to the review of Planning Permission Ref. No. 16/01542/APP

Erect 2 dwelling houses and associated works on plots CP1 and CP2, Horticultural Production Centre, Dallas, Moray

With reference to the review application, I have broken down the council's 2 reasons for objections and the applicants review statements in black, with my comments in red and council original refusal in blue. I originally registered my objection to the planning on 26Oct16.

1. With reference to the **first reason** given, in the Refusal of Planning Permission – (see attached for ease of reference).

(i) the new housing and roadway proposed would significantly erode the distinct rural character of the setting which is considered to make a valuable contribution to this part of the Moray countryside as part of the B9010 Elgin to Forres route. Given the landscape sensitivity of the location and the need to protect the natural qualities of such locations it is considered that the proposed development would be visually obtrusive.

References:

H7 Policy

The traditional pattern of settlement & build-up of development, Page 14,

- Similarly, successive applications for houses within wooded areas may detrimentally change the rural character of an area.
- Whilst hidden from view by trees, the cumulative impact of such proposals can alter the rural character and ambience of an area. Increased traffic movements, road junctions, bin collections, etc. can urbanise the countryside and erode its tranquil qualities. There has been a significant growth in the number of new house applications in specific areas of Moray. Proposals for further development in these areas will be given particular attention in terms of contributing to build-up that could irreversibly alter the character in the locality. These areas include: Rafford;

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- (iv) Ribbon development
- Ribbon development will not be acceptable where it results in an accumulation of houses along a road or landscape feature.

We would not consider the development as ribbon development. We would describe it as fitting in with the established settlement pattern within the area which is predominantly a loose scattering of individual properties set apart within the surrounding area.

IMP1 (h) Conservation and where possible enhancement of natural and built environmental resources must be achieved.

IMP2 (d) Where appropriate, applicants may be asked to carry out other assessments (e.g. noise; air quality; flood risk; drainage; bat; badger; other species and habitats) in order to confirm the compatibility of the proposal.

No other assessments were deemed necessary in this instance by the local authority.

a) We do not consider the proposed 2 houses and roadway would significantly erode the distinct rural character of the setting. I think the existing area is saturated enough with properties along the B9010 in both directions for a mile. Further developments will affect visitors enjoying the scenery and wildlife (habitat change for species listed below). It appears like not satisfying Policy H7 (i) successive applications for houses within wooded areas may detrimentally change the rural character of an area. (iv) Ribbon Development.

The local authority has not assessed that the area is “saturated enough with properties”. The Dallas/Edinvale area is not currently assessed as a housing in the countryside hotspot within the recent Moray Council (Nov 2016) document “ Guidance Note on Landscape and Visual Impacts of Cumulative Build up of Houses in the Countryside”.

b) The established settlement pattern within the area is predominantly a loose scatter of individual properties set apart within the surrounding area. The development of the proposed 2 houses would be of low impact and reflect the character of the surrounding area.

This is open scenic, wildlife countryside that is growing with properties that are already impacting these aspects and the light pollution for such a rural location.

Ref IMP1 and 2 above – conservation and assessments of impact to species eg BAP priority species that exist on the site - surely this should be carried out possibly in consultation with Scottish Wildlife Trust.

Large open areas will remain within the proposed 2 large house plots.

c) Though the area is not classified as an area of great landscape value (AGLV) the rural environment would be enhanced by trees, which would be provided in accordance with the design landscape requirements of Policy H7.

- The natural rough open ground in question supports a number of wildlife these include: Barn Owl, Roe Deer, Brown Hares and UK Biodiversity Action Plan (UK BAP). priority species including: Common Grasshopper Warbler, Yellowhammer, Otter, Pine Marten, Common Toad. It is not all about planting trees but to have diverse habitats that is occupied by BAP priority species.
- The North bordering Mains of Edinvale farm fields have now all been planted with commercial pine – these open grounds will soon be full of trees and this planning site would be good to maintain open ground to protect said species and others after all a lot of open ground will be lost with forest.
- -It would also provide a break in the surrounding views on the B9010 route for others to enjoy views and possibly view and listen to the wildlife.
- IMP1 (h) Conservation and where possible enhancement of natural and built environmental resources must be achieved.
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Large open areas will still remain as will the route of the existing watercourse which is proposed to be enhanced with a pond. This as well as being a natural asset, will assist in balancing the flow of water down the valley.

d) This further tree planting would also re-enforce the existing backdrop of the established neighbouring tree plantation.

Need to keep the open natural wild ground for diverse habitat and scenery– will be even more surrounded with the new woodlands on North border.

e) The site is not a prominent one and the dwellinghouses would not be on the skyline.

There will still be a land use change of houses being present on a route with enough houses already present and keeping wild open areas in wooded areas would be valuable as stated above.

f) All the boundaries of the overall site have been long established and the existing watercourse that runs through the middle of the overall site also lends itself to forming a natural pond as part of a surface water disposal system.

The natural wild tall grasses and boggy ground provides a valuable wildlife habitat for BAP priority species and is nice open break in the landscape.

g) The Dallas area is not listed in the eight study areas identified as housing in the countryside hotspots and the proposed 2 houses should not contribute to the area being materially changed in character. Although not in a listed area, Rafford is and is only 3 miles away on the same B9010 route which shows how important this route is. We want to be proactive and prevent this area being added to the list when development slowly grows and gets out of hand.

Reference H7(i) The traditional pattern of settlement & build-up of development, Page 14, There has been a significant growth in the number of new house applications in specific areas of Moray. Proposals for further development in these areas will be given particular attention in terms of contributing to build-up that could irreversibly alter the character in the locality. These areas include: Rafford;

Ref items d), e), f) and g) large open areas will still remain and as previously noted the Dallas/Edinvale area is not currently assessed as a housing in the countryside hotspot. The Moray Council's Policy H7 - New Housing in the Open Countryside assumes in favour of an application provided all the requirements of the policy area met. We consider all the requirements of the policy have been met.

2. With reference to the **second reason** given, in the Refusal of Planning Permission

(ii) The proposal would contribute to the detrimental build-up of residential development in the wider area.

a) The proposed 2 houses will be set in substantial grounds (approx. one and a half acres and one and three quarter acre plots) in keeping with the loose scatter of individual properties, which are in the area.

There will still be houses present which increase the already saturated rural area.

The Dallas/Edinvale area has not been identified as a housing in the countryside hotspot by the Moray Council.

b) They will not be detrimental to the amenity of the wider area. Indeed we would consider the proposed tree planting zones would re-enforce the setting, especially the tree zones proposed alongside the Rafford to Dallas road (B9010) and towards the East and South East.

There is enough trees planted in all the surrounding area – we need the open unoccupied area for reasons stated in 1 above.

Large open areas will still remain.

c) These tree zones marry in with the landscaping proposals approved by the Planning Authority under the consent for a Horticultural Centre ref Planning Permission ref no 95/00828/FUL.

d) The council's Policy H7 - New Housing in the Open Countryside assumes in favour of an application provided all the requirements of the policy are met. We consider all the requirements of the policy have been met.

The area is saturated enough with houses as stated above. This open ground is valuable left open as stated in 1 above.

The Dallas/Edinvale area has not been identified as a housing in the countryside hotspot by the Moray Council.

Large open areas will still remain.

e) The council's Policy IMP1 – requires New Development to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. We consider the proposed 2 houses and associated garages are indeed sensitively sited, designed and serviced appropriate to the amenity of the surrounding area.

- In terms of amenity, I class enjoying viewing wildlife as an enjoyable activity to everyone especially if BAP priority species are involved and these have difficult pressures put on them in a developing country which we want future generations to enjoy. The natural rough open ground in question supports a number of wildlife these include: Barn Owl, Roe Deer, Brown Hares and UK Biodiversity Action Plan (UK BAP). priority species including: Common Grasshopper Warbler, Yellowhammer, Otter, Pine Marten, Common Toad. It is not all about planting trees but to have diverse habitats that is occupied by BAP priority species.
- Ref IMP1 and 2 above – conservation and assessments of impact to species eg BAP priority species that exist on the site - surely this should be carried out possibly in consultation with Scottish Wildlife Trust.

No other assessments were deemed necessary in this instance by the local authority.

### **My original objection extract e-mailed on 26Oct16**

Every year we have tawny owls and barn owls nesting in boxes at our stone wall boundary adjacent to the proposed houses. They will be disturbed and not use them if houses are next to them. Our garden is established for wildlife and we have video evidence of an otter using our ponds and they get to them via the black burn and stream via the proposed development site. Buzzards use the trees on the above boundary. Badgers, scottish wildcats (stated on a survey by Scottish National Heritage), red squirrels and pine martens use our garden. The barn owls hunt in the development site fields.

This means the development and increased road traffic for the horticulture site would impact the wildlife with road kills and the wildlife breeding/staying in our garden and using the proposed development fields.

The B9010 is a narrow road which has had a number of near misses and accidents and with increased road traffic to the horticulture site it would become more hazardous.

The horticulture site and houses would be in our view and have a light pollution and noise impact to us.

I am suspicious this development is purely for financial gain. The owner had been rejected planning in 2003, i do not know why - can you tell me? Why has someone still got horticulture planning / business case from 1996 and not used it or purchased land elsewhere to do business - very strange. It makes me think this is a way to try and get two houses built - this is the main aim to the detriment of the wildlife. In fact why is there not more detail on the horticultural site plan? What is planning to be grown? What type of building is it going to be, hours of work, expected traffic volume, number of employees, etc? What is the owner's details - there is only the company details? The application has the business twist but main details are the planning for houses.

We would consider that the existing wildlife will continue to flourish in the area as the balance between the loose scattering of individual properties and the surrounding countryside will not be materially altered with the development of two proposed houses within large house plots.

No concerns were raised by the local authority Transportation department with satisfactory access and visibility splay provisions.

No concerns were raised by the local authority Planning department in respect of the 2 proposed house designs which were considered by the Planning officer to be of "a low traditionally sympathetic form and there is no specific objection to the proposals in this respect".