

NOTICE OF REVIEW

20/00918/APP

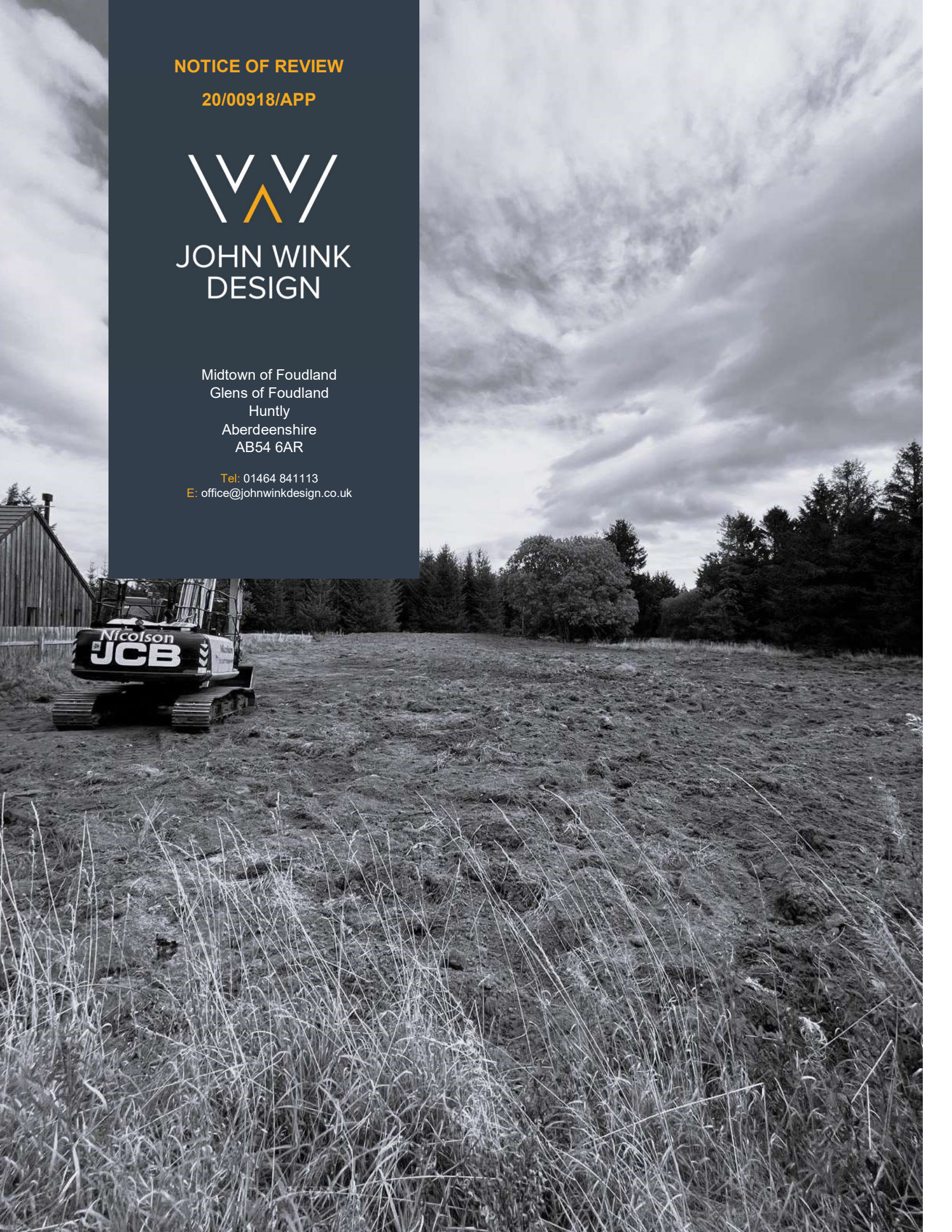


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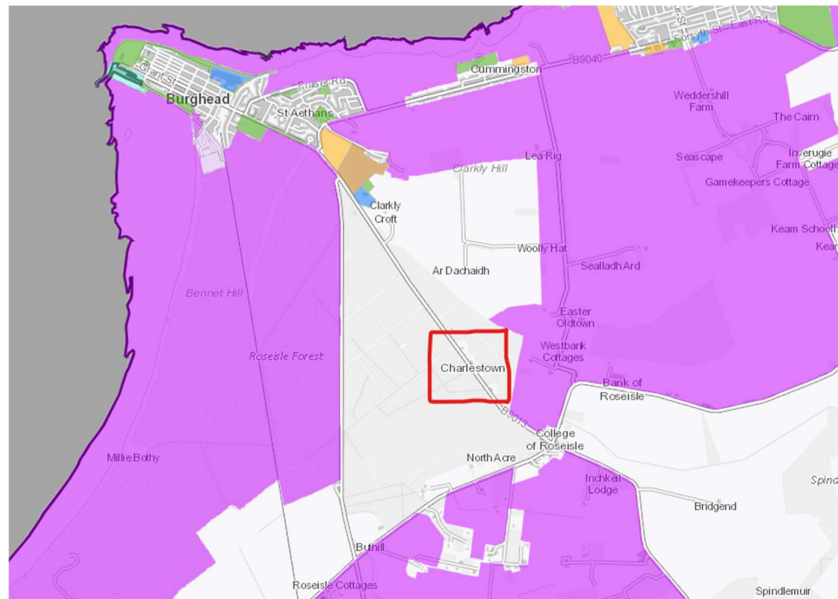


Proposed dwelling-house and detached garage, Site At Charlestown, Roseisle, Moray, IV30 5YG

We seek a review on the above noted application as we believe the proposal fully complies with National Planning Framework Policy 17 Rural Homes, and, Moray Local Development Policy DP4 Rural Housing.

POLICY REVIEW

The proposed dwelling house is located within the open countryside and is not within a pressurised or sensitive area, therefore the guidance for housing within an area of intermediate pressure is relevant to this application.



Purple area identifies the Pressurised & Sensitive Areas

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 fully enclosed with mature trees and woodland to the north and east providing an established backdrop for the proposed house. There is an existing storey and a half dwellinghouse to the west providing enclosure of the site.

The boundary of the adjacent dwellinghouse as well as the woodland boundaries, immediately adjoin the site.

SITING



Illustration from the Moray Council Development Policies showing acceptable siting, with existing established boundaries.



Panoramic photograph of the site indicating the existing, established site boundaries



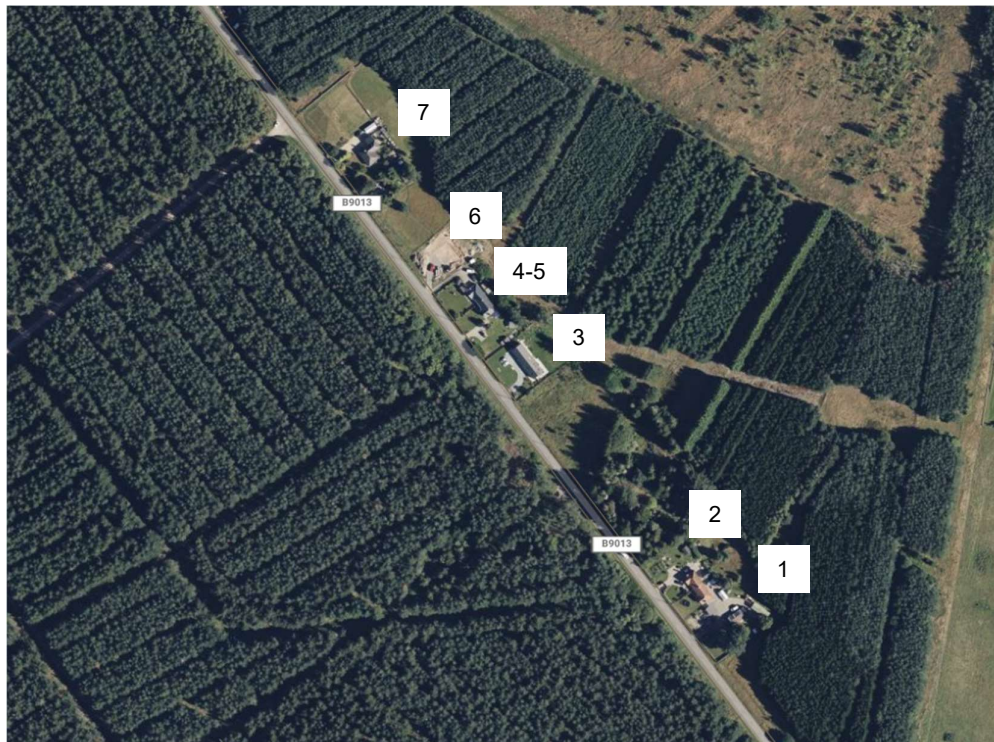
Photograph of the site indicating the existing, established site boundaries

The proposed site clearly reflects the illustration from the development policies showing acceptable containment, enclosure and backdrop.

The application fully complies with siting requirements of Policy DP4

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 existing pattern of development at Charleston is linear in form with 7 properties located along the eastern side of the B9013.



Property 6 was approved in November 2020 (20/00918/APP) and was considered to fill in an existing gap within the existing line of development which was appropriate to the area and not considered to be an unacceptable build up of development. Furthermore, it was noted that the woodland to the east of the site would help ensure that the dwelling was not a prominent feature in the landscape.

The report of handling for this application considers that the proposed dwelling would lead to the outward expansion and extension of roadside dwellings resulting in the continued build-up of ribbon development along this roadside which would be detrimental to the character and setting of the open countryside at this location.

The pattern of development is already established at this location and the proposed dwelling is not considered to create ribbon development but instead provides an additional dwelling on an infill site which is in keeping with the character of the area.

Due to the location of the existing woodland to the east of the site, the proposed dwelling will be the final property in the existing row of houses. The woodland is not considered to be ancient or native woodland but it is controlled by the Scottish Government forestry and land operations meaning these trees can not be removed.

The application fully complies with siting requirements of Policy DP4

- 3. Artificial mounding, cut and fill and/or clear felling woodland to create plots will not be permitted.*

A tree survey was carried out and identified two silver birch trees and a mature Ash Tree within the site boundary. The trees are in good condition and the tree report indicates that it is not necessary to remove any of the trees in order to develop the site. Furthermore, a tree protection plan has been provided indicating the root protection measures to be put in place prior to construction to ensure the tree on site and those on the boundary will not have any adverse impact due to the development.

The application is therefore considered to comply with Policy NPF 6 & MLDP EP7 Trees and Development

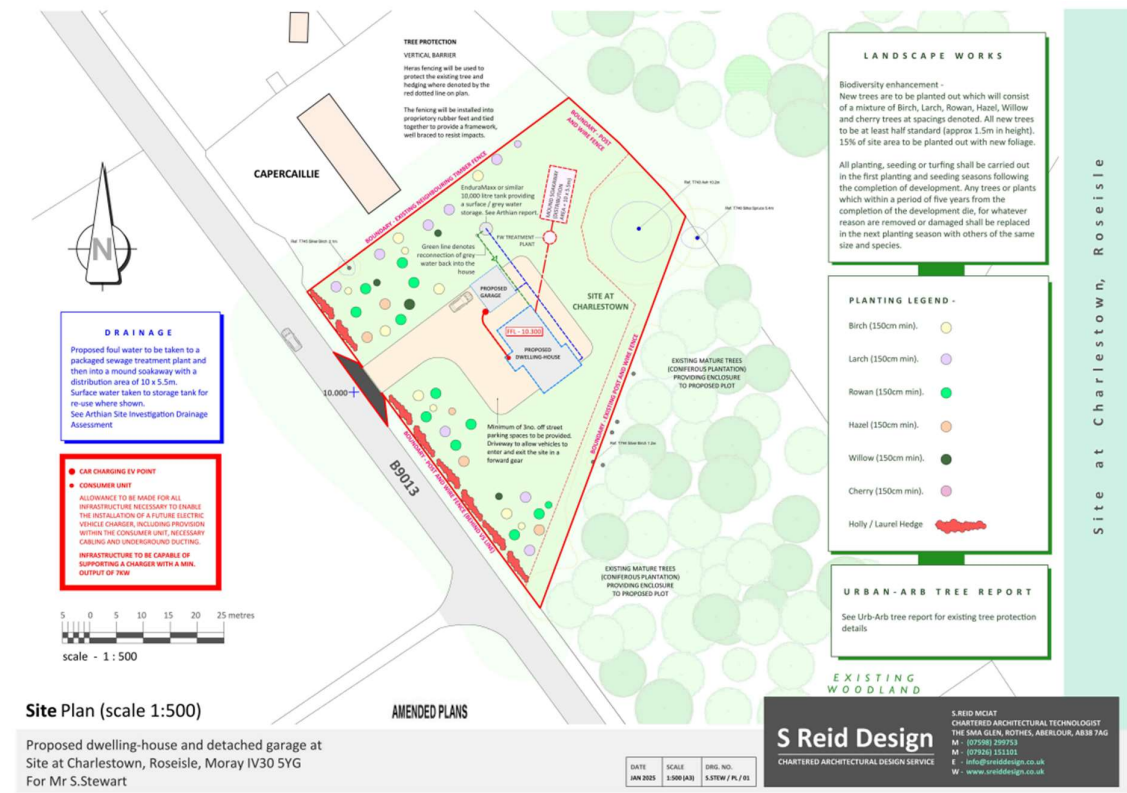
A level survey of the site was not carried out during the planning permission in principle process however, it is fully expected that this would be a condition of the planning application. GPS topographical equipment would be used to determine accurate existing and proposed site levels. The information gathered will also allow the house to be positioned in an area requiring the least amount of cut and fill.

The report of handling indicates that the level of soil disruption for a single dwelling is not considered to be significantly detrimental to the global nature and climate crisis to the extent which would warrant the refusal of the application on these grounds.

The application therefore complies with NPF 1, 2, 3 & 5 Climate Change, Soils and Biodiversity

- 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*

A landscape plan accompanied the planning application indicating that 15% of the site area will be planted with new foliage. The plan confirms planting of native species of at least 1.5m high as required by the siting criteria. The trees and hedges are set back from the public road to ensure visibility from the site is safeguarded. The proposed planting is shown in locations that will not overshadowing or have an impact of the solar gain of the proposed dwelling or the neighbouring property.



Proposed Landscaping plan – refer to drawing S.STEW/PL/01

The application fully complies with siting requirements of Policy DP4

SITE CLEARANCE

It is noted in the report of handling that since the time of application submission the site has been cleared and dug into with the Tree Survey identifying that the site excavation has encroached into the Root Protection Area of tree T745 which is a good condition category C1 Silver Birch.

The applicant had carried out some site clearance, in eagerness to determine the ground conditions and the suitability of the soil for drainage, following advice which he now understands to have been incorrect. The work on site has now been rectified, and the original site levels have been reinstated.



Photographs of the site in current form – 27th September 2025

OTHER POLICIES

Drainage Impact Assessment - A drainage assessment has been submitted with the application which identifies that the drainage proposal for the site will include a sewage treatment plant to soakaway and onsite water storage tank with grey water to be re-used within the development. **The drainage details have been accepted by Moray Flood Risk Management and are compliant with policy requirements.**

Scottish Water - **has raised no objection to the proposal** subject to their Pre-Development Enquiry Process.

Access and Parking (NPF13 and DP1) - There are no objections from Transportation subject to conditions and informatives. Subject to compliance with these the proposal is acceptable in access and parking terms.

Developer Obligations and Affordable Housing Contribution (NPF 18 / MLDP PP3 & DP1) - The applicant has confirmed willingness to accept the obligations and the contribution and would pay the obligation and contribution upfront prior to the issue of consent. **The proposal is therefore acceptable under the requirements of these policies.**

Climate Change, Soils and Biodiversity (NPF 1, 2, 3 & 5) - The site is not located on Prime Agricultural Land and the level of soil disruption for a single dwelling is not considered to be significantly detrimental to the global nature and climate crisis. energy efficiency measures would be required for any proposed dwelling in line with Building Regulations. On site landscaping has been proposed for biodiversity enhancement.

The application is therefore acceptable under the requirements of these policies.

CONCLUSION

- The proposed site has clear containment, enclosure and backdrop. - **The application fully complies with siting requirements of Policy DP4**
- The proposed site is a vacant site within a group of houses with an established linear pattern of development. The proposed dwelling will fill an empty site which is appropriate to the character of the area. - **The application fully complies with siting requirements of Policy DP4**
- The proposed site does not cause any loss to surrounding woodland. - **The application fully complies with siting requirements of Policy DP4**
- **The proposed application has demonstrated compliance with all other relevant planning policies and technical requirements.**