Moray Local Review Body

Thursday, 26 August 2021

NOTICE IS HEREBY GIVEN that a Meeting of the **Moray Local Review Body** is to be held at **Various Locations via Video-Conference**, on **Thursday, 26 August 2021** at **09:30.**

BUSINESS

1.	**Sederunt**	
2.	**Declaration of Group Decisions and Members Interests ***	
3.	**Minute of Meeting dated 27 May 2021**	**5 - 8**
	New Cases	
4.	**LR258 - Ward 5 - Heldon and Laich** Planning Application 21/00044/PPP - Proposed subdivision of garden ground to form building plot at 33 Golf Crescent Hopeman	**9 - 84**
5.1	**LR261 - Ward 5 - Heldon and Laich - Part 1** Planning Application 20/00474/APP - Demolish existing services station and garage and erect retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street Hopeman, Elgin.	**85 - 472**
5.2	**LR261 - Ward 5 - Heldon and Laich - Part 2** Planning Application 20/00474/APP - Demolish existing services station and garage and erect retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street Hopeman, Elgin.	**473 - 858**

6. LR259 - Ward 8 - Forres **859 - 1144**

Planning Application 20/01658/APP – Erect 1.25 Storey Dwelling House and Detached Timber Garage at Site South-West of Sourbank Farm, Rafford, Forres

7. LR260 - Ward 8 - Forres **1145 - 1248**

Planning Application 21/00272/APP – Change of use and alterations to boat-shed to provide a hut for occasional overnight stays at site adjacent to 212A Findhorn, Moray

Moray Council Committee meetings are currently being held virtually due to Covid-19. If you wish to watch the webcast of the meeting please go to: http://www.moray.gov.uk/moray_standard/page_43661.html to watch the meeting live.

GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests -** The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time -** At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

THE MORAY COUNCIL

Moray Local Review Body

SEDERUNT

Councillor Amy Taylor (Chair)
Councillor David Bremner (Depute Chair)

Councillor George Alexander (Member)
Councillor Gordon Cowie (Member)
Councillor Paula Coy (Member)
Councillor Donald Gatt (Member)
Councillor Ray McLean (Member)
Councillor Laura Powell (Member)
Councillor Derek Ross (Member)

Clerk Name:	Lissa Rowan
Clerk Telephone:	07765 741754
Clerk Email:	committee.services@moray.gov.uk

MORAY COUNCIL

Minute of Meeting of the Moray Local Review Body

Thursday, 27 May 2021

Remote Locations via Video-Conference

PRESENT

Councillor George Alexander, Councillor David Bremner, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Donald Gatt, Councillor Derek Ross, Councillor Amy Taylor

APOLOGIES

Councillor Ray McLean, Councillor Laura Powell

IN ATTENDANCE

Mrs Gordon, Planning Officer as Planning Adviser, Mr Hoath, Senior Solicitor as Legal Adviser and Mrs Rowan, Committee Services Officer as Clerk to the Moray Local Review Body.

1 Declaration of Group Decisions and Members Interests

In terms of Standing Order 20 and the Councillor's Code of Conduct, Councillor Bremner declared an interest in Item 4 Case LR257 as he is a personal friend of the Agent and advised that he would take no part in the consideration of this case.

There were no other declarations from Group Leaders or Spokespersons in regard to any prior decision taken on how Members will vote on any item on the agenda or any declarations in respect of any item on the agenda.

2 Minute of Meeting dated 29 April 2021

The minute of the meeting of the Moray Local Review Body dated 29 April 2021 was submitted and approved.

3 LR257 - Ward 5 - Heldon and Laich

Planning Application 20/01692/APP – Alterations and extension, dwelling house, 8 Moray Street, Hopeman

Councillor Bremner, having declared an interest in this item, took no part in the decision.

A request was submitted by the Applicant seeking a review of the decision of the Appointed Officer, in terms of the Scheme of Delegation, to refuse planning permission on the grounds that:

The proposed first floor extension, above the existing single storey extension would give rise to an unacceptable level of overshadowing to the nearest neighbouring property window (to the north) which would lead to an overbearing loss of amenity to that property and would be contrary to the requirements of policy DP1 (i) (e).

A Summary of Information Report set out the reasons for refusal, together with the documents considered or prepared by the Appointed Officer in respect of the planning application, in addition to the Notice of Review, Grounds for Review and supporting documents submitted by the Applicant.

In response to a question from the Chair as to whether the Legal or Planning Advisers had any preliminary matters to raise, both the Legal and Planning Advisers advised that they had nothing to raise at this time.

The Chair then asked the Moray Local Review Body (MLRB) if it had sufficient information to determine the request for review.

Councillor Gatt queried why there was no response from the Appointed Officer in relation to the Applicant's Statement of Case.

In response, the Planning Adviser advised that comment on the Notice of Review and Supporting Documents is only sought from interested parties and the Appointed Officer would not be expected to comment at this stage.

Councillor Coy noted that that MLRB should determine each planning application in it's own merits therefore queried why a photograph of the neighbouring property's extension had been included in the additional photographs of the site.

In response, the Planning Adviser advised that she had included that photograph to show the property from the back garden.

After considering the information provided from the Planning Adviser, the MLRB agreed that it had sufficient information to determine the case.

Councillor Alexander, having considered the case in detail, noted Councillor Coy's comments in relation to how each planning application should be determined in its own merits however raised concern that the similar extension on the neighbouring property had been granted planning permission and queried whether there had been any change in planning policy since the neighbouring extension had been granted planning permission.

In response, the Planning Adviser advised that the Moray Local Development Plan (MLDP) 2020 had recently been adopted by the Council and that she was not aware of any significant change in the policy which had informed the reason for refusal. The Planning Adviser further advised that it was for the MLRB to consider the application based on the information contained within the case and make a decision in accordance with the MLDP 2020.

After considering the advice from the Planning Adviser, Councillor Alexander stated that, in his opinion, the proposed first floor extension, above the existing single storey extension would not give rise to an unacceptable level of overshadowing to

the nearest neighbouring property window (to the north) and would not lead to an overbearing loss of amenity to that property and therefore complied with policy DP1 (i) (e) (Development Principles) and moved that the MLRB uphold the appeal and grant planning permission in respect of Planning Application 20/01692/APP. This was seconded by Councillor Gatt.

Councillor Coy agreed with the original view of the Appointed Officer and moved as an amendment that the MLRB refuse the appeal and uphold the decision of the Appointed Officer to refuse Planning Application 20/01692/APP. On failing to find a seconder, Councillor Coy's motion fell.

There being no-one otherwise minded, the MLRB agreed to uphold the appeal and grant planning permission in respect of Planning Application 20/01692/APP.

MORAY LOCAL REVIEW BODY

26 AUGUST 2021

SUMMARY OF INFORMATION FOR CASE No LR258

Planning Application 21/00044/PPP - Proposed subdivision of garden ground to form building plot at 33 Golf Crescent Hopeman

Ward 5 – Heldon and Laich

Planning permission in principle was refused under the Statutory Scheme of Delegation by the Appointed Officer on 28 April 2021 on the grounds that:

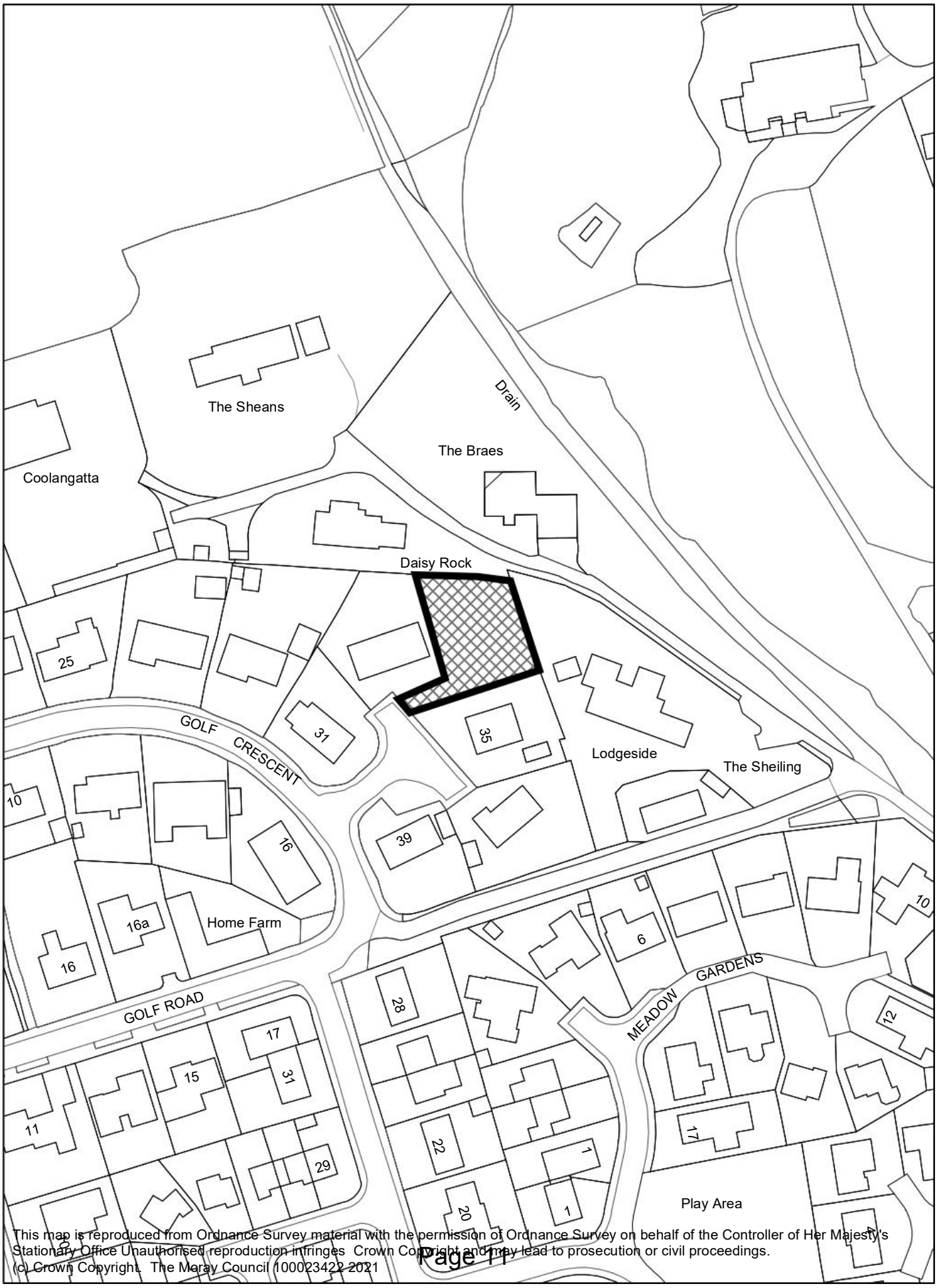
The proposal is contrary to the provisions of the Moray Local Development Plan 2020 because: The proposed dwelling is to be positioned to the side of the parent property and set significantly further back into the plot than is the established pattern at this location. The site lacks its own roadside frontage and can only be access via an access drive to be created through the parent property's garden. These characteristics are symptomatic of backland development, leading to the inappropriate subdivision of garden ground to form an additional building plot. It is further noted that the presence of an additional dwelling at the existing cul de sac location is considered to increase the density of housing development to the extent that the proposal is considered to be detrimental to the character and appearance of the area. On this basis, the proposal is considered to be contrary to the terms Policies DP1 (i), part f and Policy EP3 part b).

Documents considered or prepared by the Appointed Officer in respect of the above planning application are attached as **Appendix 1**.

The Notice of the Review, Grounds for Review and any supporting documents submitted by the Applicant are attached as **Appendix 2**.

No Further Representations were received in response to the Notice of Review.

Location plan for Planning Application Reference Number : 21/00044/PPP



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APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100349940-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☐ Application for planning permission (including changes of use and surface mineral working).

☒ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed sub division of garden ground to form building plot

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Moray Architectural Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	alastair	Building Name:	Camp Cottage
Last Name: *	rennie	Building Number:	
Telephone Number: *	07455794449	Address 1 (Street): *	Dunbar Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lossiemouth
Fax Number:		Country: *	Moray
		Postcode: *	IV31 6RB
Email Address: *	aleiln@talktalk.net		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Alan and Laura	Building Number:	33
Last Name: *	Ralph	Address 1 (Street): *	Golf Crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Hopemen
Extension Number:		Country: *	uk
Mobile Number:		Postcode: *	IV30 5TL
Fax Number:			
Email Address: *	alan.ralph@k8tered.com		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1: 33 GOLF CRESCENT

Address 2: HOPEMAN

Address 3:

Address 4:

Address 5:

Town/City/Settlement: ELGIN

Post Code: IV30 5TL

Please identify/describe the location of the site or sites

Northing 869664 Easting 315100

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☐ Yes ☒ No

Site Area

Please state the site area: 0.06

Please state the measurement type used: ☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

GARDEN GROUND

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: alastair rennie

On behalf of: Mr and Mrs Alan and Laura Ralph

Date: 14/01/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.
☐ Elevations.
☐ Floor plans.
☐ Cross sections.
☐ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☒ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☒ N/A
A Design Statement or Design and Access Statement. *	☒ Yes	☐ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☒ N/A
Drainage/SUDS layout. *	☐ Yes	☒ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☐ Yes	☒ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr alastair rennie

Declaration Date: 14/01/2021

Payment Details

Online payment: 389591
Payment date: 14/01/2021 15:53:14

Created: 14/01/2021 15:53

Plot at No 33
Golf Crescent, Hopeman, Moray, IV30 5TL

Plan shows area bounded by: 314975.94, 869562.31 315184.19, 869773.63, OSGridRef: NJ15086966. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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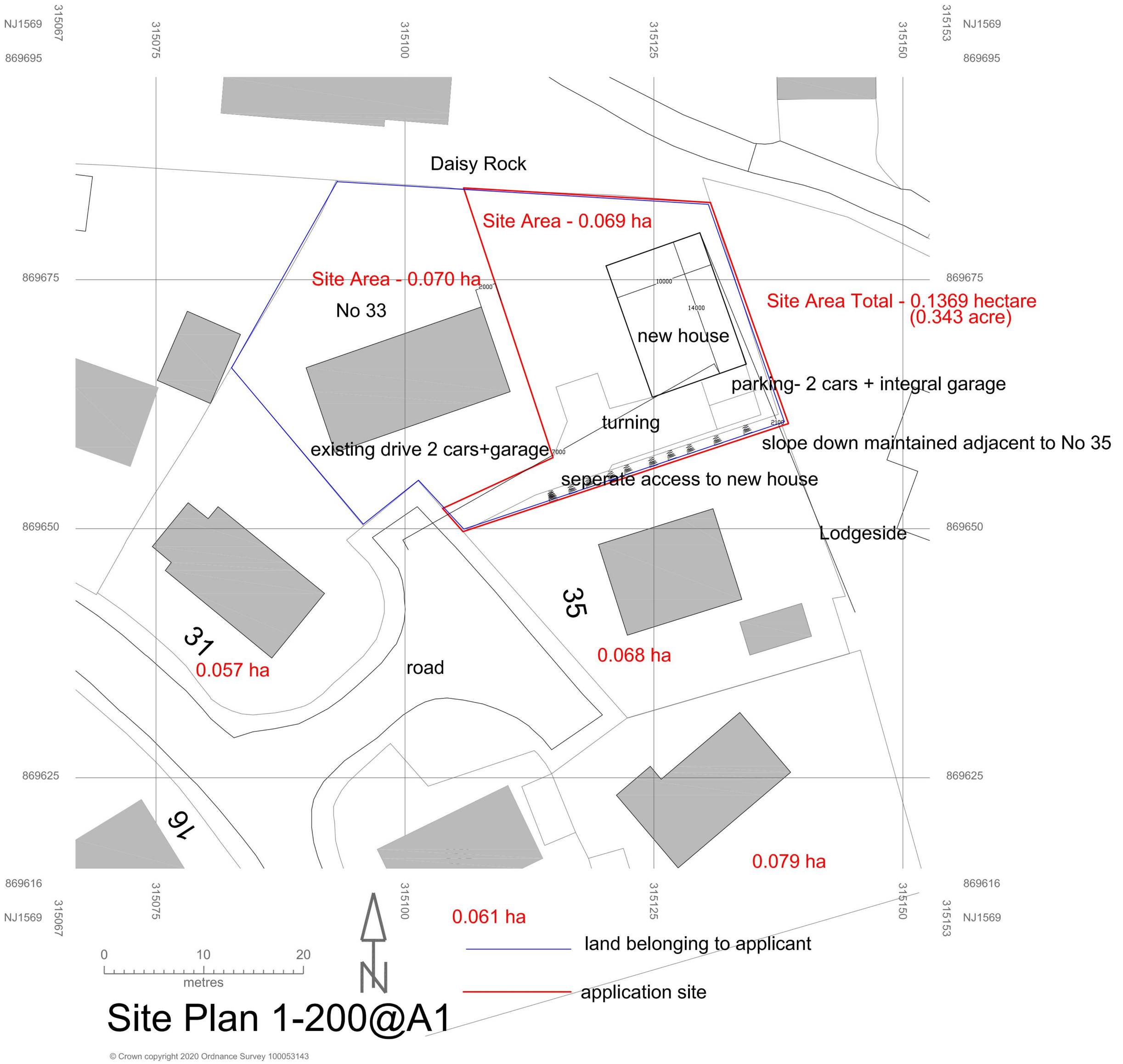

Site Plan 1-200@A1

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Design Statement

JAN 2021

33 Golf Crescent, Hopeman

Authored by: Moray Architectural Services

Design Statement

Application

The application is for the erection of a dwelling house on land adjacent to 33 Golf Crescent, Hopeman. The site is located in a residential area with an establish road network and infrastructure/services. The plot is adjacent to no 33 at the end of a cul-de -sac with easy vehicle access.

Current Use

The application site is currently used as garden ground as part of no 33 although in general surplus to the requirements of no 33 which has substantial garden policies It is reasonably well screened off from other properties in the area.

Site view from road

The surrounding houses are of a mixed design nature and it is proposed to design a modern style house using sustainable materials and a low carbon heating system using an air source heat pump. Solar panels may also be implemented to comply with current or future SAP requirements.

Design

The house design will as stated will be of modern design and 1.5/ 1.75 storey high which is reflective of surrounding properties. The house position will b allow No 35 to retain the limited view they have from their patio doors. It should be noted the floor level of the proposed house will be much lower than No 35 which will minimize any potential impact to both No 35 and the surrounding properties

Typical Modern Designs incorporating sustainable materials

No 35 Adjacent to application site showing patio doors and change I level.

View of application site from existing house/road access.

Infrastructure

It is intended to connect to existing services for water, drainage and electrical services. Heating will be low carbon air source. Driveway will be free draining material and all surface water will be drained within the site utilizing soakpits.

Site Sizes

The proposed plot will have an area of 0.069 hectare(0.17 acre) but leaves a plot size of 0.07 hectare(0.17 acre) to No 33(existing house). This is above modern development plot sizes and in line with the plot sizes in the adjacent area.

Plot looking North.

Plot at road access

Design Statement 15.01.2012

Moray Architectural Services

Moray Council
Planning and Development
High Street
Elgin
IV31 1BX

For the attention of Shona Strachan

26.02.2012

Proposed Sub Division of Ground at 33 Golf Crescent, Hopeman 21/00044/PPP

Further to recent correspondence I am writing to make the following points with regard to the above application which I believe complies with council policy for the greater part for the following reasons.

1. Density – I have checked the adjoining houses and the approximated plot sizes are marked on the attached plan. The plot sizes are more or less the same as what is proposed so I would contend it is wrong to suggest the proposal would be out of character in terms of density.
2. Plot size- The plot size and existing house are almost the same size meaning the proposal is compliant with the 50% rule and is of course well over the minimum 400m2 plot size. The house design will not exceed one third of the plot size.
3. The term backyard development is somewhat spurious in this occasion as the plot is to the side of the existing house and not to the rear.
4. Roads have not objected to the access and neither have the majority of the adjoining households. No 35 have objected on the ground of loosing a view from their patio doors. Again I would contend that the design will allow for that view and the impact on No 35 is exaggerated given that the orientation of No 35 is such that there is minimum impact on this property.

We trust you will take these points in to account and we will forward the drainage information when it comes to hand from our engineer.

Signed

Alastair Rennie

Moray Architectural Services

Camp Cottage, Dunbar Street, Lossiemouth, Moray, IV31 6RB
T: 074 557 94449 / 01343 810735, E: aleiln@talktalk.net

From: DeveloperObligations
Sent:21 Jan 2021 10:04:54
To: Shona.Strachan@moray.gov.uk,
Subject:21/00044/PPP Proposed sub division of garden ground to form building plot at 33 Golf Crescent, Hopeman, Elgin, IV30 5TL
Attachments:21-00044-PPP Proposed sub division of garden ground to form building plot at 33 Golf Crescent, Hopeman, Elgin, IV30 5TL.pdf,

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Hi
Please find attached the developer obligations assessment that has been undertaken for the above planning application. A copy of the report has been sent to the applicant.
Thanks,
Rebecca

Rebecca Morrison | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development
Rebecca.morrison@moray.gov.uk | website | facebook | moray council planning facebook | twitter | newsdesk

Developer Obligations & Affordable Housing: ASSESSMENT REPORT

Date: 21/01/2021

Reference: 21/00044/PPP

Description: Proposed sub division of garden ground to form building plot at 33 Golf Crescent, Hopeman, Elgin, IV30 5TL

Applicant: Mr and Mrs Alan and Laura Ralph

Agent: Moray Architectural Services

This assessment has been carried out by Moray Council. For developer obligations, the assessment is carried out in relation to policy PP3 Infrastructure and Services of the adopted Moray Local Development Plan 2020 (MLDP2020) and Supplementary Guidance (SG) on Developer Obligations which was adopted on 30 September 2020. And, for affordable housing, the assessment is carried out in relation to policy DP2 Housing of the MLDP2020. Affordable housing is a policy requirement not a developer obligation however for ease of reference the Affordable Housing contribution is included within this assessment.

The MLDP2020 can be found at **www.moray.gov.uk/MLDP2020** and the Developer Obligations SG can be found at **http://www.moray.gov.uk/downloads/file134184.pdf**

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare *(Contribution towards extension at Moray Coast Medical Practice)*	[redacted]
Sports and Recreation	Nil
Total Developer Obligations	[redacted]
Affordable Housing	[redacted]
TOTAL	[redacted]

Breakdown of Calculation

Proposals for developer obligations are assessed on the basis of Standard Residential Unit Equivalents (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

3 bed = 1 SRUE

This assessment is therefore based on 1 SRUE.

Moray Council **DEVELOPER OBLIGATIONS**

INFRASTRUCTURE

Education

Primary Education

The pupils generated by this development are zoned to Hopeman Primary School. The school is currently operating at 52% physical capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Primary Education = Nil

Secondary Education

The pupils generated by this development are zoned to Lossiemouth High School. The school is currently operating at 66% capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that no developer obligations will be sought for this proposal.

Contributions towards Transport = Nil

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m^2.

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.17 persons -Census 2011).

Moray Coast Medical Practice is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Moray Coast Medical Practice is working beyond design capacity and existing space will be required to be extended.

Contributions are calculated based on a proportional contribution of [redacted] per SRUE

[redacted]

Contribution towards Healthcare= [redacted]

Sports and Recreational Facilities

Sports and Recreation Facilities

Existing sports provision within Hopeman is considered to be adequate to serve the needs of the residents anticipated to be generated by this development. Therefore, in this instance, no contribution will be required.

Contribution for Sports and Recreation Facilities = Nil

AFFORDABLE HOUSING

The average market value of a serviced plot for 1 Affordable Unit is [redacted] Contributions are based on 25% of the total number of units proposed in the application:

[redacted]

Therefore, the total contribution towards affordable housing is:

1 proposed unit = [redacted]

Affordable housing is a policy requirement not a developer obligation and will not be subject to negotiation.

TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations towards Moray Council infrastructure are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.

Wednesday, 20 January 2021

Local Planner
Development Services
Moray Council
Elgin
IV30 1BX

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: 33 Golf Crescent, Hopeman, Elgin, IV30 5TL
PLANNING REF: 21/00044/PPP
OUR REF: DSCAS-0030751-C2T
PROPOSAL: Proposed sub division of garden ground to form building plot at

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- There is currently sufficient capacity in the GLENLATTERACH Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- There is currently sufficient capacity for a foul only connection in the MORAY WEST Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

To find out more about connecting your property to the water and waste water supply visit:

gem going the extra mile

rant&rave

So, how are we doing?
We'd love to know what we're doing well or could do better.
We promise we're listening, click here to tell us...
Scottish Water Trusted to serve Scotland

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

To find out more about connecting your property to the water and waste water supply visit:
So, how are we doing?
We'd love to know what we're doing well or could do better.
We promise we're listening, click here to tell us...
Scottish Water
Trusted to serve Scotland

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the

development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Planning Application Team
Development Operations Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

To find out more about connecting your property to the water and waste water supply visit:

So, how are we doing?
We'd love to know what we're doing well or could do better.
We promise we're listening, click here to tell us...
Scottish Water

Consultee Comments for Planning Application 21/00044/PPP

Application Summary

Application Number: 21/00044/PPP

Address: 33 Golf Crescent Hopeman Elgin Moray IV30 5TL

Proposal: Proposed sub division of garden ground to form building plot at

Case Officer: Shona Strachan

Consultee Details

Name: Mr EH Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: ehplanning.consultations@moray.gov.uk

On Behalf Of: Environmental Health C12

Comments

No objections

Tim Betts, GEHO

Consultee Comments for Planning Application 21/00044/PPP

Application Summary

Application Number: 21/00044/PPP

Address: 33 Golf Crescent Hopeman Elgin Moray IV30 5TL

Proposal: Proposed sub division of garden ground to form building plot at

Case Officer: Shona Strachan

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

Comments

Approved unconditionally

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	2nd February 2021
Planning Authority Reference	21/00044/PPP
Nature of Proposal (Description)	Proposed sub division of garden ground to form building plot at
Site	33 Golf Crescent Hopeman Elgin Moray IV30 5TL
Site Postcode	N/A
Site Gazetteer UPRN	000133010432
Proposal Location Easting	315100
Proposal Location Northing	869664
Area of application site (M^2)	600
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=QMYRIHBGGLD00
Previous Application	19/00391/PELOC
Date of Consultation	19th January 2021
Is this a re-consultation of an existing application?	No
Applicant Name	Mr and Mrs Alan and Laura Ralph
Applicant Organisation Name	
Applicant Address	33 Golf Crescent Hopemen Moray IV30 5TL
Agent Name	Moray Architectural Services
Agent Organisation Name	
Agent Address	Camp Cottage Dunbar Street Lossiemouth Moray IV31 6RB
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.
For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 21/00044/PPP
Proposed sub division of garden ground to form building plot at 33 Golf Crescent Hopeman Elgin Moray for Mr and Mrs Alan and Laura Ralph

I have the following comments to make on the application:-

		Please
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	x
(d)	Further information is required in order to consider the application as set out below	❑

Condition(s)

1. No development works shall commence on the dwelling house until a detailed drawing (scale 1:200) has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority confirming the provision of, or location where a future Electric Vehicle (EV) charging unit is to be connected to an appropriate electricity supply, including details (written proposals and/ or plans) to confirm the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit; and thereafter the EV charging infrastructure shall be provided in accordance with the approved drawing and details prior to the first occupation of the dwelling house.

Reason: In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking.

2. Notwithstanding the submitted details the width of the new vehicular access shall be 3.5m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. Drop kerbs shall be provided across the access to the Moray Council specification including provision of backing kerbs installed along the rear of the existing footway (across the full width of the new access to delineate and protect the edge of the footway following the removal of the existing boundary wall). A road opening permit must be obtained from the Roads Authority before carrying out this work.

Reason: To ensure acceptable infrastructure at the development access

3. A turning area shall be provided within the curtilage of the site of the new dwelling to enable vehicles to enter and exit in a forward gear.

Reason: To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road

4. Parking provision shall be as follows:
    - 2 spaces for a dwelling with two or three bedrooms; or
    - 3 spaces for a dwelling with four bedrooms or more; and.
    - 3 spaces shall be retained for the existing dwelling

The car parking spaces shall be provided within the site prior to the first occupation of the new dwelling house. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

5. No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height (measured from the level of the road) and fronting onto the public road shall be within 2.4m of the edge of the public carriageway.

Reason: To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

6. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

The provision of Electric Vehicle (EV) chargers and/or associated infrastructure shall be provided in accordance with Moray Council guidelines. Cabling between charging units and parking spaces must not cross or obstruct the public road including footways. Infrastructure provided to enable EV charging must be retained for this purpose for the lifetime of the development unless otherwise agreed in writing by the Planning Authority

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Contact: AG **Date 01 February 2021**
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Return response to	**consultation.planning@moray.gov.uk**

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://publicaccess.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

MORAY COUNCIL
PLANNING CONSULTATION RESPONSE
From: The Moray Council, Flood Risk Management
Planning Application Ref. No: 21/00044/PPP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	☐
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	☒
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	☐
(d)	Further information is required in order to consider the application as set out below	☐

Reason(s) for objection
No drainage information provided

Further information required to consider the application

Contact: Will Burnish Date 12/4/21
email address: Will.burnish@moray.gov.uk Phone No
Consultee: The Moray Council, Flood Risk Management

[redacted] [redacted]

ECONOMY ENVIRONMENT &
FINANCE 01/02/2021

Dear Sir

P/APPLICATIONS
20/01741/APP + 20/01729APP +
21/0000/APP + 20/01781APP +
20/01754APP + 21/00044/APP +
21/00067/APP

ENSURE PLEASE THAT ALL
WILDLIFE FLORA & FAUNA
ON EACH SITE IS GIVEN
ALL POSSIBLE PROTECTION
INCLUDING MOLES WHICH
MAY BE GIVEN FULL LEGAL
PROTECTION BEFORE DISSOLUTION
OF SCOTTISH PARLIAMENT

ADDERS AND SLOW WORMS
ARE IN HIBERNATION AT
THIS TIME IN CASES WHEN
EXCAVATION IS INVOLVED

II

ADDENI AFTER THEY
EMERGE FROM HIBERNATION
REMAIN VULNERABLE
FOR SOME WEEKS AS IS
THE CASE WITH SLOW
WORMS!

Yours Sentimentally

[redacted]

STAY SAFE STAY WILD

01/02/2021

PS

NORTHERN SCOT
29/01/2021 – 04/02/2021 P.6
'GREEN LIGHT FOR ELGIN
HOUSES' FINANCIAL ELGIN

IT IS POSSIBLE THAT I
HAVE RESPONDED EN MASS
TO THIS EARLIER BUT NOW
IN PARTICULAR. THE SINE
CONCERNS FOR THE DEVELOP-
MENT AS ON PRICKING
PINS!

PLEASE ADVISE

[redacted]

Comments for Planning Application 21/00044/PPP

Application Summary

Application Number: 21/00044/PPP
Address: 33 Golf Crescent Hopeman Elgin Moray IV30 5TL
Proposal: Proposed sub division of garden ground to form building plot at
Case Officer: Shona Strachan

Customer Details

Name: [redacted]
Address: [redacted]

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Objections-
Have major concerns regarding the entrance to this development, very narrow access with very limited view of road when exiting.
Emergency vehicles I.e fire engine etc would have very restricted access.
Safety of pedestrians when cars are exiting.
Was informed when I purchased my home that there would never be another building there as a sewer pipe runs through the middle of the ground.
Loosing my privacy and my view.
Drive way would run the whole length of my garden and would impact on my privacy.
The road is only a turning area for properties and parking is already limited with the homes that currently use it.

REPORT OF HANDLING

Ref No:	21/00044/PPP	**Officer:**	Shona Strachan
Proposal Description/ Address	Proposed sub division of garden ground to form building plot at 33 Golf Crescent Hopeman Elgin Moray		
Date:	29.04.2021	**Typist Initials:**	KS

RECOMMENDATION		
Approve, without or with condition(s) listed below		
Refuse, subject to reason(s) listed below		**Y**
Legal Agreement required e.g. S,75		
Notification to Scottish Ministers/Historic Scotland		
Hearing requirements	**Departure**	
	Pre-determination	

CONSULTATIONS		
Consultee	**Date Returned**	**Summary of Response**
Environmental Health Manager	22/01/21	No objection
Contaminated Land	26/01/21	No objection
Transportation Manager	01/02/21	No objection subject to conditions and informatives
Scottish Water	20/01/21	No objection but any connection would be subject to separate liaison.
Moray Flood Risk Management	12/04/21	No objection following the submission of drainage assessment
Planning And Development Obligations	21/01/21	Assessment confirms that developer obligation towards Healthcare provision and an affordable housing contribution are required.

DEVELOPMENT PLAN POLICY		
Policies	**Dep**	**Any Comments (or refer to Observations below)**
DP1 Development Principles	Y	
EP13 Foul Drainage	N	
EP3 Special Landscape Areas	Y	
PP3 Infrastructure and Services	N	
DP2 Housing	N	
EP12 Management and Enhancement Water	N	

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received TWO		
Names/Addresses of parties submitting representations Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
Issue: Concerns about the site access which is narrow with limited views. The contributors believes this would make the access difficult for emergency services and expresses concerns of the safety of pedestrians. **Comments (PO):** Subject to conditions the Transportation Section has raised no objection to the proposal on road safety terms.		
Issue: Was informed when purchased property that there would never be another building there as a sewer pipe runs through the middle of the ground. **Comments (PO):** It is unclear who would have made this comment to the contributor, given the nature of the comment it is not something that the Planning Authority can comment further on. An application for planning permission has been submitted which has been the subject of consultation with Scottish Water. Scottish Water has raised no objection to the proposal with advice to complete their Pre-Development Enquiry (PDE) at the appropriate juncture.		
Issue: Loss of privacy and loss of view. **Comment (PO):** This application seeks planning permission in principle therefore no detailed design information has been submitted. As detailed in the assessment of the proposal the application is recommended for refusal because of the backland nature of the proposal which is unacceptable in character terms Given the in principle nature of the permission sought, detailed design would be matters specified in conditions, to be assessed as part of a further application. Subject to conditions to ensure, sensitive design a dwelling could be sited on the plot such that it would not significantly adversely impact on neighbouring amenity.		
Issue: Loss of privacy because of the long drive. **Comments (PO):** The proposed long drive is uncharacteristic at this location and is a symptomatic of the backland nature of the proposal which is contrary to the provisions of the development plan. The long drive in and of its self is not considered to lead to an unacceptable loss of privacy to neighbouring property.		
Issue: Generalised non site specific comments on the need to protect wildlife, flora and fauna. **Comment (PO):** The proposed site is garden ground in an existing settlement boundary. The proposal is not considered to result in adverse impact on wildlife, flora and fauna.		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Legislative Framework
Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

Proposal
This application seeks planning permission in principle for a proposed sub division of garden ground to form building plot at 33 Golf Crescent Hopeman.

As this is an application for planning permission in principle detailed design information has not been provided. The site plan does show an indicative position and footprint for the proposed dwelling and the site access. The design statement submitted as part of the proposal indicates that the proposed dwelling would be 1.5 or 1.75 storey design, deploying sustainable materials and an air source heat pump. As detailed in the drainage assessment, the dwelling would connect to the existing public sewerage located within Golf Crescent with an onsite surface water soakaway.

The site plan is also marked up to show the numeric specifications of Policy DP1 part f.

Site Characteristics
No 33 is a corner plot in a cul de sac in an existing established modern residential development. There are a mixture of property designs and scales in the vicinity of the site. The parent property is a single storey dwelling and the proposed sub divide garden plot will be located in garden ground to the east of the parent property.

Aside from the parent property which would be located to the west of the proposed site, the proposed plot would have neighbouring boundaries on to Daisy Rock to the north, Lodgeside to the east and on to No 35 Golf Crescent to the south because of the gradient of the land, No 35 sits above proposed plot.

Under the terms of the MLDP 2020 Hopeman falls with the Burghead to Lossiemouth Coast Special Landscape Area.

Policy Assessment
Siting and Design, Impact of the Development (DP1 (i), part f)
Policy DP1, part f) sets out the requirements for sub divide garden plots. Specifying that: proposals do not result in backland development or plots that are subdivided by more than 50% of the original plot. Sub-divided plots must be a minimum of 400m2, excluding access and the built-up area of the application site will not exceed one-third of the total area of the plot and the resultant plot density and layout reflects the character of the surrounding area.

In this case, the proposal is for the sub division of garden ground to create an addition dwelling at this existing cu de sac location, a road end which currently serves four existing properties. The proposed dwelling is to be positioned to the side of the parent property and set significantly further back into the plot than is the established pattern at this location. The site lacks its own roadside frontage and can only be access via an access drive to be created through the parent property's garden. These characteristics are symptomatic of backland development, leading to the inappropriate subdivision of garden ground to form an additional building plot which would be determinate to the character of the area. The proposal therefore fails to comply with the initial requirement of Policy DP1 part f. As demonstrated by the site plan the proposal meets the numeric requirements set out by the policy. However, it is noted here, that whilst the indicative house footprint to plot size ratio reflects the existing plot density found at this location, the presence of an additional dwelling would further increase the density of housing development at this road end location to such an extent that the proposal is considered to be detrimental to the character and appearance of the existing cul de sac.

As this is an application for planning permission in principle detailed design information has not been provided. The site plan does show an indicative position and footprint for the proposed dwelling and the site access. The design statement submitted as part of the proposal indicates that the proposed dwelling would be 1.5 or 1.75 storey design, deploying sustainable materials and an air source heat pump. Should the application go on to be approved, the detailed matters of the, design and materials for the proposed plot would be matters specified in conditions, to be assessed as part of a further application. In this case, given the relationship between the proposed plot and the neighbouring property, consideration could be given to restricting the height of any dwelling to single or 1.5 storey to ensure that the proposed design would not have an overbearing presence to the immediate locality. Landscaping could also be used to provide screening between the properties and in order to reduce any amenity impacts on to the neighbouring property to the south. These design matters are separate from and do not override the policy objection to this proposal based on its inappropriate siting/location.

Special Landscape Area (EP3)
Under the terms of the MLDP 2020 Hopeman falls with the Burghead to Lossiemouth Coast Special Landscape Area. Policy EP3 part b) applies to urban areas and requires proposal to meet the relevant terms of Policy DP1 and to reflect the traditional settlement character in terms of siting and design. In this instance, the proposal has failed to comply with the terms of Policy DP1 part f and it is noted that the presence of an additional dwelling at the existing cul de sac location is considered to increase the density of housing development to the extent that the proposal is considered to be detrimental to the character and appearance of the area. On this basis, the proposal is considered to be contrary to the terms of Policy EP3 part b).

Water and Drainage (DP1 (iii), EP12 and EP13)
Scottish water has confirmed no objection to the proposal and any connections required for drinking and foul connection would be the subject of separate liaison between the applicant and Scottish Water at the appropriate juncture should the application go on to be approved.

The application has been supported by a drainage assessment which has been accepted by Moray Flood Risk Management the surface water drainage proposal is considered acceptable. These matters are separate from and do not override the policy objection to this proposal based on its inappropriate siting/location

Access and Parking (DP1 iii)
In order to access the site, a new access drive from the road end would be required creating an access through the garden ground of the parent property. The Transportation Manager, has raised no technical objection to this proposal subject to conditions to ensure safe access and parking for the site. This is a technical assessment of the access arrangement and is separate from and does not override the policy objection to this proposal based on its inappropriate siting/location.

Developer Obligations and Affordable Housing (PP3, DP2)
A Developer Obligation towards healthcare is sought as part of the application. An affordable housing contribution is also sought. The applicant has confirmed willingness to pay both of these, should the application be approved. The proposal is therefore acceptable under the terms requisite terms of Policies PP3 and DP2. This is separate from the policy objection to the proposal based on its unacceptable siting.

<u>Conclusion and Recommendation</u>
In this instance, the proposal represents backland development and has failed to comply with the terms of Policy DP1 part f. The presence of an additional dwelling at the existing cul de sac location is considered to increase the density of housing development to the extent that the proposal is considered to be detrimental to the character and appearance of the area.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY				
Reference No.	**Description**			
19/00391/PELOC	Proposed dwellinghouse within garden ground of 33 Golf Crescent Hopeman Elgin Moray IV30 5TL			
	Decision	ID/PE Answered	**Date Of Decision**	24/05/19

ADVERT		
Advert Fee paid?	**Yes**	
Local Newspaper	**Reason for Advert**	**Date of expiry**
Northern Scot	Departure from development plan	18/02/21
PINS	Departure from development plan	18/02/21

DEVELOPER CONTRIBUTIONS (PGU)	
Status	**Developer obligation and affordable housing contribution required.**

DOCUMENTS, ASSESSMENTS etc. *		
** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*		
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Design Statement	
Main Issues:	Provides comments and pictures in support of the proposal, seeking to demonstrate the suitability of the site for a dwelling house.	
Document Name:	Site Investigation and Drainage Assessment	
Main Issues:	Details the drainage arrangement for the proposal	
Document Name:	Letter in support of the proposal	
Main Issues:	Provides comments to demonstrate compliance with policies requirements highlighting that the proposal complies with the numeric requirements of the sub division policy requirements and Transportation have not objected to the proposal. It is also noted that the use of the term backyard/backland development is spurious as the plot is to the site of the existing house.	

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		

Location where terms or summary of terms can be inspected:

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended

REFUSAL OF PLANNING PERMISSION

[Heldon And Laich]
Planning Permission in Principle

TO Mr and Mrs Alan and Laura Ralph
c/o Moray Architectural Services
Camp Cottage
Dunbar Street
Lossiemouth
Moray
IV31 6RB

With reference to your application for planning permission in principle under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Proposed sub division of garden ground to form building plot at 33 Golf Crescent Hopeman Elgin Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: **28 April 2021**

[redacted]

HEAD OF ECONOMIC GROWTH AND DEVELOPMENT
Economy, Environment and Finance
Moray Council
PO Box 6760
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, the Moray Council has REFUSED this proposal. The Councils reason(s) for this decision are as follows: -

The proposal is contrary to the provisions of the Moray Local Development Plan 2020 because: The proposed dwelling is to be positioned to the side of the parent property and set significantly further back into the plot than is the established pattern at this location. The site lacks its own roadside frontage and can only be access via an access drive to be created through the parent property's garden. These characteristics are symptomatic of backland development, leading to the inappropriate subdivision of garden ground to form an additional building plot. It is further noted that the presence of an additional dwelling at the existing cul de sac location is considered to increase the density of housing development to the extent that the proposal is considered to be detrimental to the character and appearance of the area. On this basis, the proposal is considered to be contrary to the terms Policies DP1 (i), part f and Policy EP3 part b).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference Version	Title
	Location Plan
	Site Plan

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S.32A of 1997 ACT)

N/A

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scot/eplanningClient

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

APPENDIX 2

NOTICE OF REVIEW, GROUNDS FOR REVIEW & SUPPORTING DOCUMENTS

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100349940-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Moray Architectural Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	alastair	Building Name:	Camp Cottage
Last Name: *	rennie	Building Number:	
Telephone Number: *	07455794449	Address 1 (Street): *	Dunbar Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lossiemouth
Fax Number:		Country: *	Moray
		Postcode: *	IV31 6RB
Email Address: *	aleiln@talktalk.net		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Alan	Building Number:	33
Last Name: *	Ralph	Address 1 (Street): *	golf crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Hopemen
Extension Number:		Country: *	uk
Mobile Number:		Postcode: *	IV30 5TL
Fax Number:			
Email Address: *	alan.ralph@k8tered.com		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1:	33 GOLF CRESCENT
Address 2:	HOPEMAN
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	ELGIN
Post Code:	IV30 5TL

Please identify/describe the location of the site or sites

Northing	869664	Easting	315100

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed sub division of garden ground at 33 Golf Crescent, Hopeman IV30 5TL

Type of Application

What type of application did you submit to the planning authority? *

☐ Application for planning permission (including householder application but excluding application to work minerals).

☒ Application for planning permission in principle.

☐ Further application.

☐ Application for approval of matters specified in conditions.

What does your review relate to? *

☒ Refusal Notice.

☐ Grant of permission with Conditions imposed.

☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

the refusal is on the grounds of suggested backland development and that the proposed plot has no roadside frontage.and mention has also been made on density. Taking these points we refute them for the reasons laid out in the attached letter

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * ☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

letter of appeal

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.	21/00044/PPP
What date was the application submitted to the planning authority? *	15/01/2021
What date was the decision issued by the planning authority? *	28/04/2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *	☒ Yes ☐ No
Is it possible for the site to be accessed safely and without barriers to entry? *	☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *	☒ Yes ☐ No
Have you provided the date and reference number of the application which is the subject of this review? *	☒ Yes ☐ No
If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *	☒ Yes ☐ No ☐ N/A
Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *	☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *	☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr alastair rennie

Declaration Date: 19/05/2021

Moray Architectural Services

The Clerk
Moray Council Local Review Body
Legal and Services Committee
High Street
Elgin
IV31 1BX

18.05.2021
Planning Review – Planning Refusal Ref 21/00044/PPP- 33 Golf View Crescent.

I am writing on behalf of the applicants to request a review of the above refusal for Planning consent and wish to draw attention to the committee the following facts which are extremely relevant to this request,

- The refusal references the access, yet the Roads authority have no objection to the access and as the experts in this area the lack of any objection should be clearly noted. Sufficient parking within the proposed plot is easily achievable. The comments made about driveway length is contradictory to the desire of the applicant to position the house for the amenity of the neighbouring property.
- The refusal references the density, yet the proposals clearly show that the density of the proposed plot and existing house is very much in line with the surrounding houses. The proposed plot has an area of 0.068ha and the existing surrounding houses have site areas of 0.068,0.079,0.61,0.057 respectively. The area of the existing house plot will have an area of 0.07. This meets the council policy and therefore using density as a refusal for planning is spurious at best. Indeed the Planning officer appears to agree with this in her assessment and I quote **"However, it is noted here, that the indicative house footprint to plot size ratio reflects the existing plot density found at this location".**
- It is noted that only one main objection has been received regarding preservation of a view from existing windows and the application has noted this and the proposed house position will reflect the need to allow for the amenity of the neighbouring property. Combined with the drop in level a low impact design is easily achievable, and the applicants are keen to achieve a high-quality design on the plot.
- Drainage tests have been done and a fully compliant drainage layout cab be achieved.
- Developer contributions have been agreed and will be paid if consent is granted.

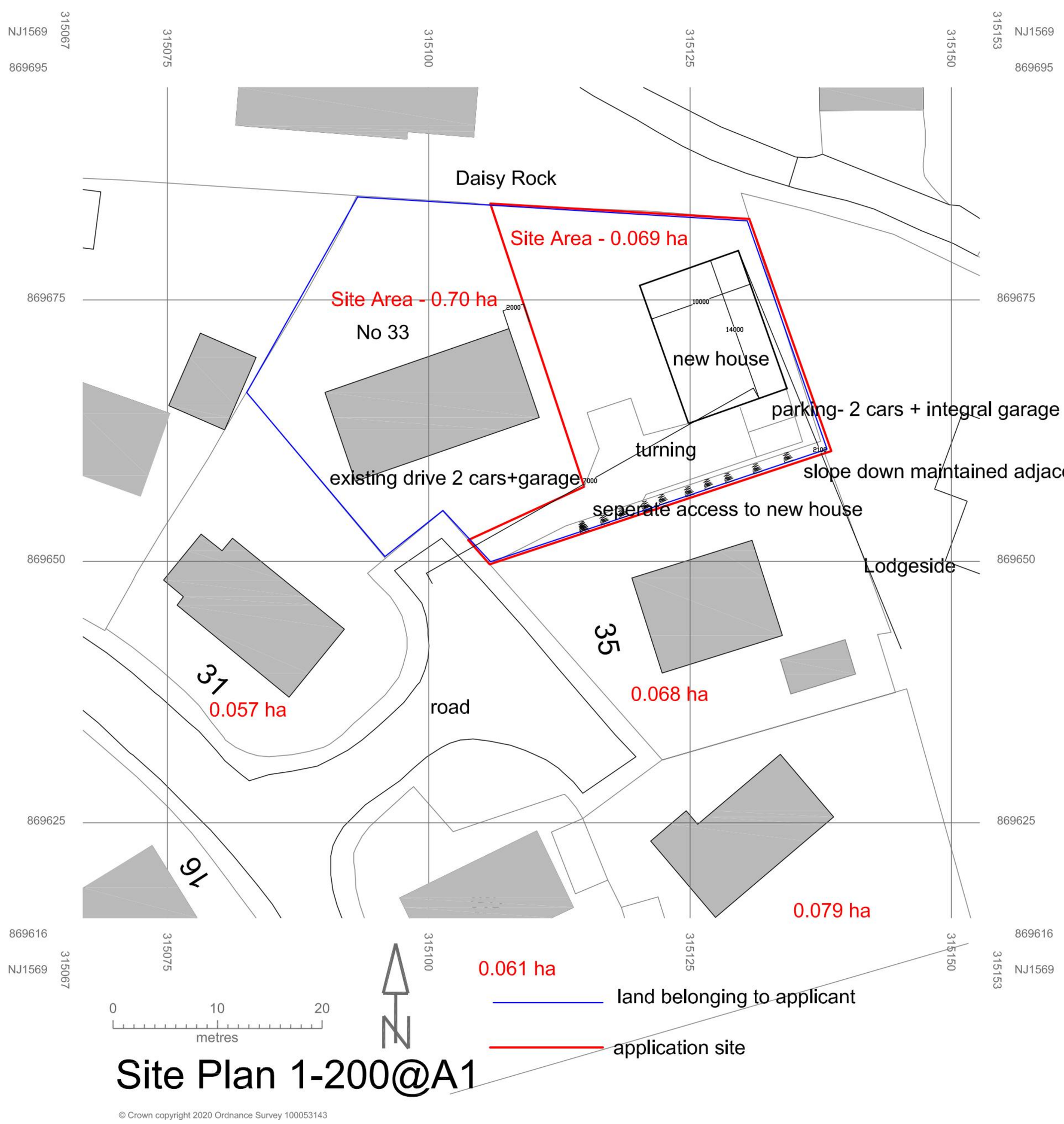
Camp Cottage, Dunbar Street, Lossiemouth, Moray, IV31 6RB
T: 074 557 94449 / 01343 810735, E: aleiln@talktalk.net

Given that the proposal meets the criteria laid down in the councils own planning policy DP1 Section 6 there are clear and concise reasons why this application should not have been refused we respectfully comment our appeal to the review body.

Signed

Alastair Rennie

Moray Architectural Services



Site Plan 1-200@A1

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MORAY LOCAL REVIEW BODY

26 AUGUST 2021

SUMMARY OF INFORMATION FOR CASE No LR261

Planning Application 20/00474/APP – Demolish existing service station and garage and erect retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman, Elgin

Ward 5 – Heldon and Laich

Planning permission was refused under the Statutory Scheme of Delegation by the Appointed Officer on 30 March 2021 on the grounds that:

The proposal would be contrary to policies PP1, PP3, DP1, DP5, DP7, EP3, EP12 and Hopeman I1 Designation of the Moray Local Development Plan 2020 for the following reasons:

1. The proposal would introduce non-compliant uses (flats and retail) onto the Hopeman I1 site which is protected for business uses. There is no need for additional housing land in Hopeman as there are two housing sites identified in the Local Development Plan and no shortfall in the effective housing land supply. The proposed uses would lead to a loss of employment land within the village resulting in the loss of effective employment land from Hopeman and jeopardising the future development of the rest of the Hopeman I1 designation contrary to policy DP5 and Hopeman I1.

2. The application has failed to demonstrate that the proposed retail unit will not adversely impact on the distinctive character or vitality and viability of Hopeman contrary to policy DP7.

3. The design of the proposed retail unit and in particular the lack of a strong road frontage is not considered to be of sufficiently high design standard to fit with the distinctive character of Hopeman or create a strong sense of place. The proposal would be detrimental to the Burghead to Lossiemouth Special Landscape Area and contrary to policies DP1 (i)(a), PP1 (i) and EP3.

4. The application has failed to demonstrate satisfactory arrangements in relation to access for vehicles or pedestrians, access visibility, access to public transport, suitable crossing to the site or adequate servicing arrangements for any part of the development giving rise to conditions that would be detrimental to road safety contrary to policies PP3 (a) (iii) and DP1 (ii) (a □ c).

5. The application has failed to demonstrate that drainage from the proposed retail service bay can be dealt with in an acceptable manner contrary to policies DP1 and EP12.

6. The application has failed to provide parking bays of sufficient size or number to comply with Moray Council parking standards contrary to policy DP1 (ii) (e).

7. The application has failed to provide adequate provision of Electric Vehicle Charging contrary to policy PP3 (a) (iv).

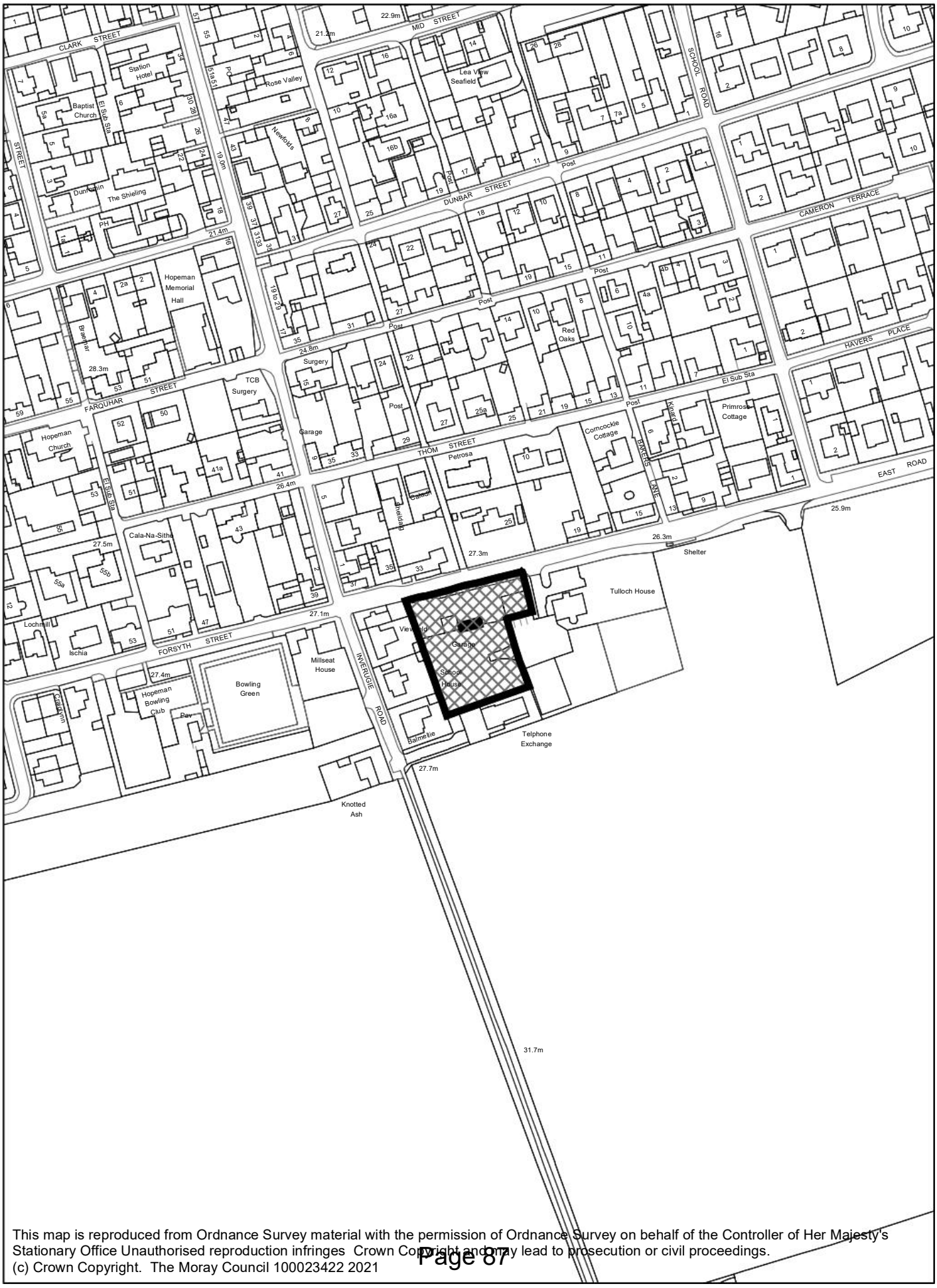
Documents considered or prepared by the Appointed Officer in respect of the above planning application are attached as **Appendix 1**.

The Notice of the Review, Grounds for Review and any supporting documents submitted by the Applicant are attached as **Appendix 2**.

Further Representations received in response to the Notice of Review are attached as **Appendix 3.**

The Applicant's response to Further Representations is attached as **Appendix 4**

Location plan for Planning Application Reference Number : 20/00474/APP



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APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100245151-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☒ Application for planning permission (including changes of use and surface mineral working).

☐ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Demolition of existing service station and garage. New build Retail unit, along with new build light industrial unit & 2 no new blocks of residential flats.

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Springfield Real Estate Management Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Victoria	Building Name:	
Last Name: *	Mungall	Building Number:	4
Telephone Number: *	07895 705 779	Address 1 (Street): *	Rutland Square
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH1 2AS
Email Address: *	victoria@sremltd.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Steven/ SREM	Building Number:	4
Last Name: *	Jefferies	Address 1 (Street): *	Rutland Square
Company/Organisation	SREM/ COOP	Address 2:	
Telephone Number: *	07895705779	Town/City: *	Edinburgh
Extension Number:		Country: *	GB
Mobile Number:	07895705779	Postcode: *	EH1 2AS
Fax Number:			
Email Address: *	victoria@sremltd.co.uk		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing 869279 Easting 314736

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☐ Yes ☒ No

Site Area

Please state the site area: 0.67

Please state the measurement type used: ☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Car Garage

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☒ Yes ☐ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 34

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

Bin stores for residential and bin stores for commercial uplift within service yard.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☒ Yes ☐ No

How many units do you propose in total? * 8

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☒ Yes ☐ No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 1 Retail (food)

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): * 483

If Class 1, please give details of internal floorspace:

Net trading spaces: 343

Non-trading space: 138

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Victoria Mungall

On behalf of: SREM/ COOP

Date: 07/04/2020

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☒ Yes ☐ No ☐ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.
☒ Elevations.
☒ Floor plans.
☒ Cross sections.
☒ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☒ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☒ N/A
A Design Statement or Design and Access Statement. *	☒ Yes	☐ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☒ N/A
Drainage/SUDS layout. *	☒ Yes	☐ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☒ Yes	☐ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

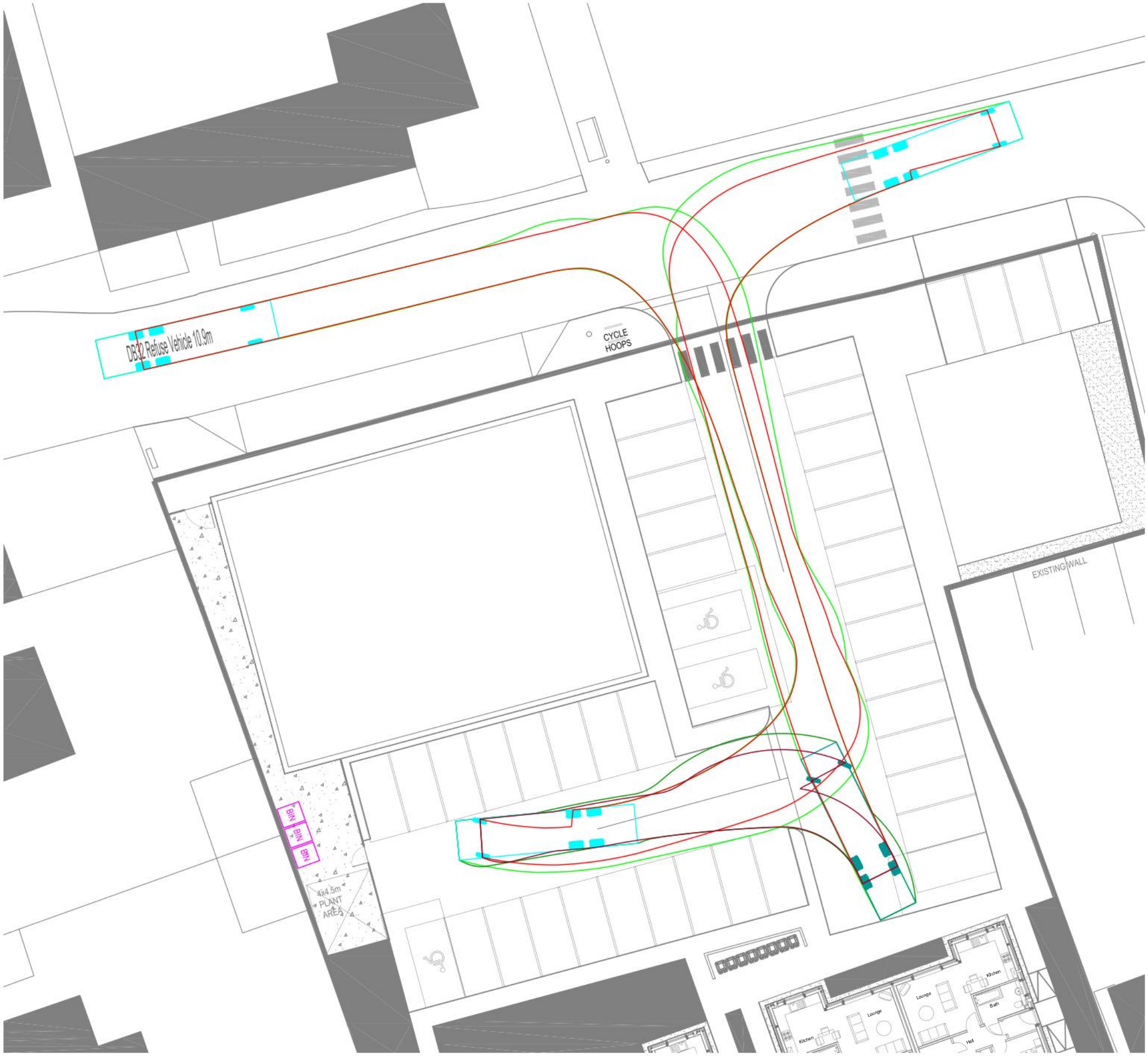
Declaration Name: Mrs Victoria Mungall

Declaration Date: 06/04/2020

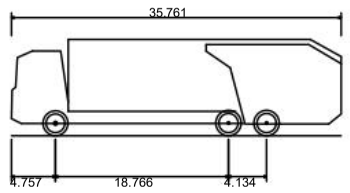
Payment Details

Telephone Payment Reference:

Created: 07/04/2020 13:59



REFUSE VEHICLE ENTERING SITE, TURNING AND EXITING SITE
Scale 1:250



DB32 Refuse Vehicle 10.9m

Overall Length	10.900m
Overall Width	2.400m
Overall Body Height	3.185m
Min Body Ground Clearance	0.390m
Max Track Width	2.400m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	9.625m

Revision	Date	By	Comments
A	25.01.21	FM	Analysis updated to show 10.9m long refuse vehicle

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MACLEOD JORDAN

16 Albert Street
Aberdeen
AB25 1XQ

Tel: (01224) 646 555
info@macleodjordan.co.uk
www.macleodjordan.co.uk

Client
SREM LTD.

Project
RETAIL UNIT, STARTER UNIT & FLATS AT FORSYTH STREET, HOPEMAN, ELGIN

Title
REFUSE VEHICLE SWEPT PATH ANALYSIS

Drawn By MJ Checked By RM	Date 19.08.20
Status REVIEW	Scale at A3 1:250

Project No.	Drawing No.	Rev.
15424	1002	A

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A1

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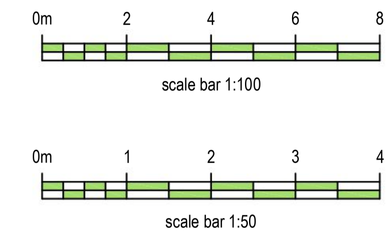
PLANNING

Rear Elevation 1:100

Side Elevation 1:100

Front Elevation 1:100

Side Elevation 1:100



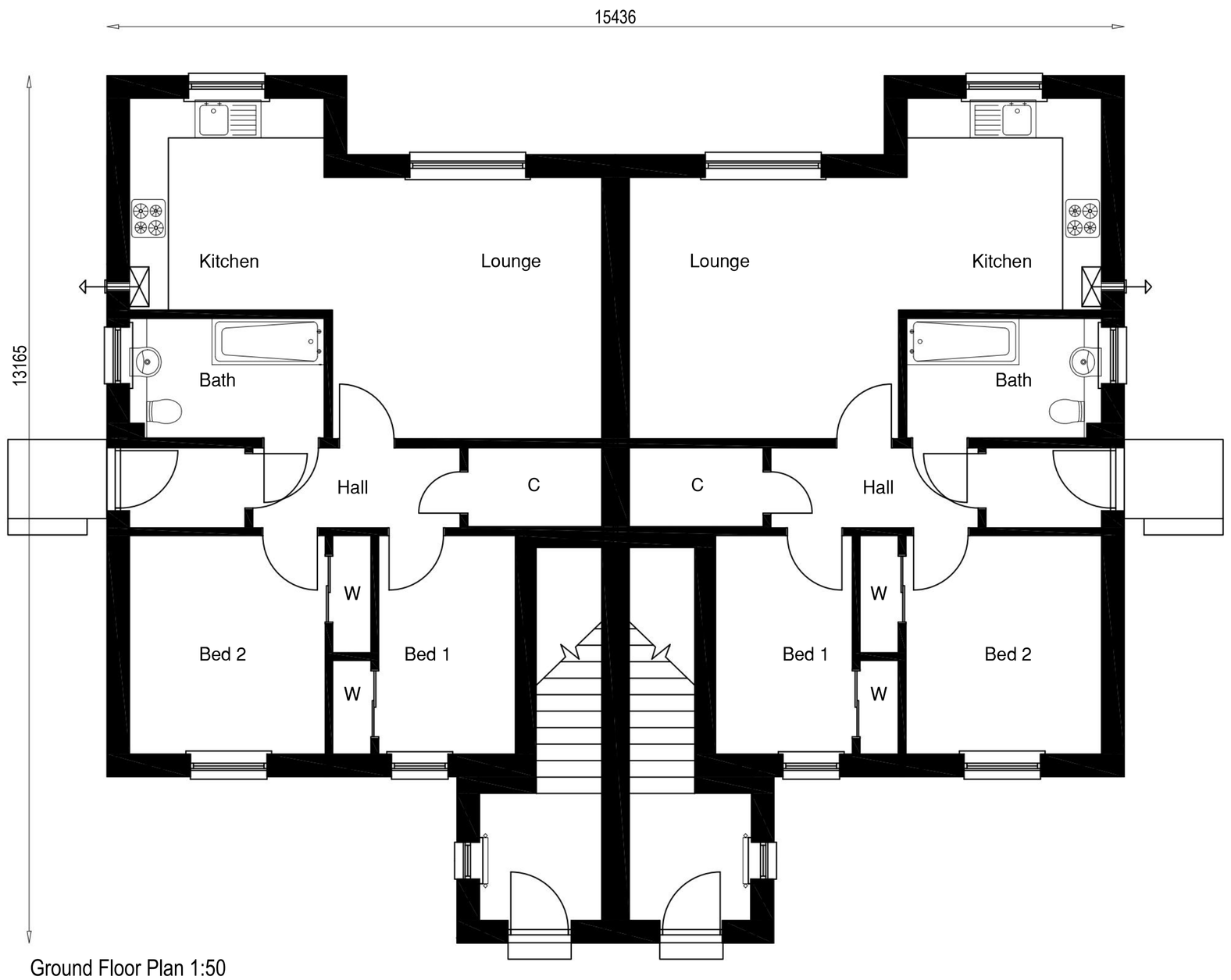
FINISHES LEGEND:

- NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
- MARLEY 'EDGEMERE' CONCRETE TILE SMOOTH GREY
- 20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.
- CAITHNESS STONE FEATURE TO EXTERNAL WALLS.

RAL 7016 GREY UPVC WINDOWS

RAL 7016 GREY COMPOSITE DOORS

RAL 7016 UPVC SOFFIT AND FASCIA



Ground Floor Plan 1:50

First Floor Plan 1:50

Rev	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

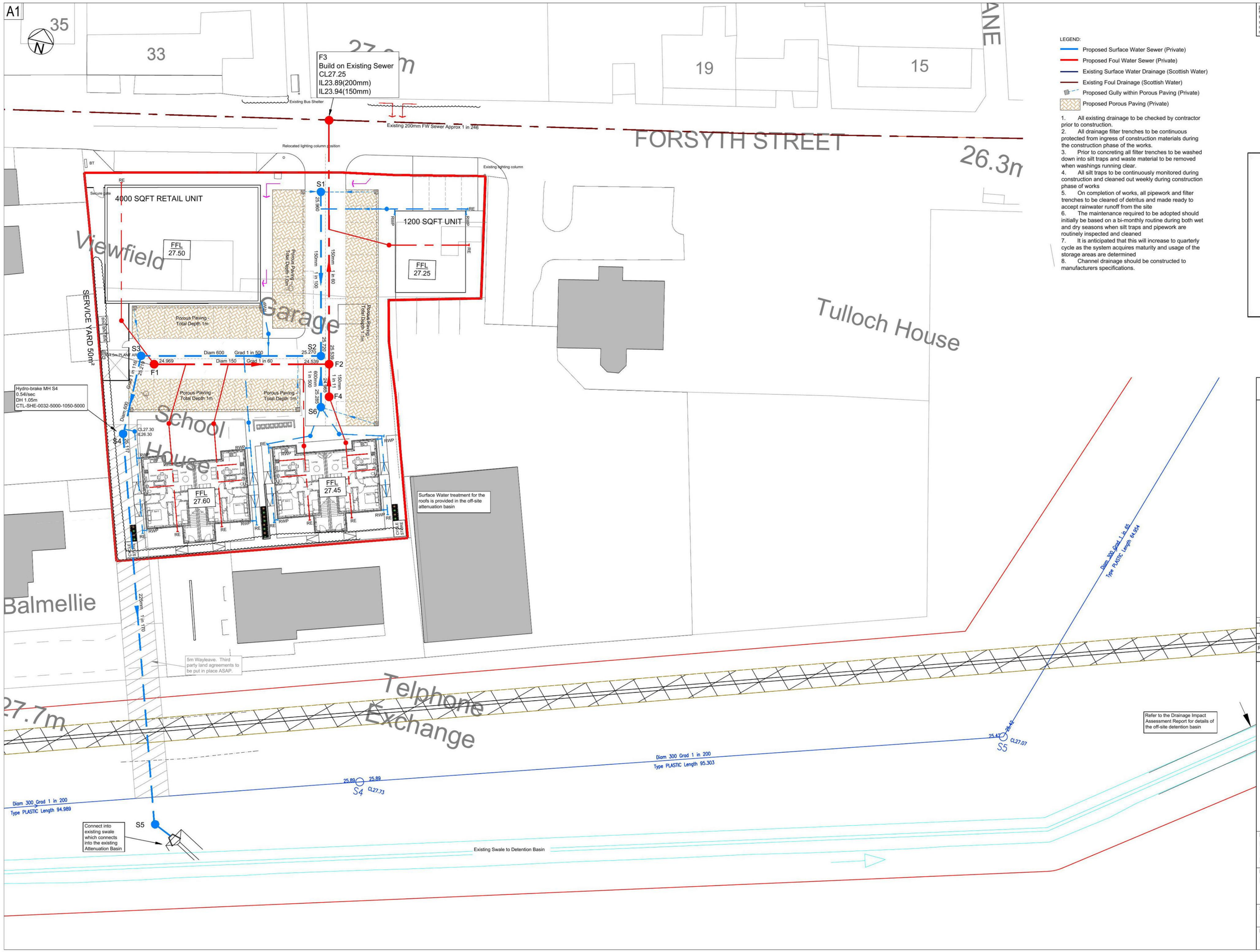
Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
CAWDOR COTTAGE APARTMENTS
PLANNING SUBMISSION PLANS AND ELEVATIONS

Scale	Date	Drawn by	Checked by
1:50 / 1:100	10/07.2020	SM	BW

Drawing no.
L-300

Rev
-



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LEGEND:

- Proposed Surface Water Sewer (Private)
- Proposed Foul Water Sewer (Private)
- Existing Surface Water Drainage (Scottish Water)
- Existing Foul Drainage (Scottish Water)
- Proposed Gully within Porous Paving (Private)
- Proposed Porous Paving (Private)

1. All existing drainage to be checked by contractor prior to construction.
2. All drainage filter trenches to be continuous protected from ingress of construction materials during the construction phase of the works.
3. Prior to concreting all filter trenches to be washed down into silt traps and waste material to be removed when washings running clear.
4. All silt traps to be continuously monitored during construction and cleaned out weekly during construction phase of works
5. On completion of works, all pipework and filter trenches to be cleared of detritus and made ready to accept rainwater runoff from the site
6. The maintenance required to be adopted should initially be based on a bi-monthly routine during both wet and dry seasons when silt traps and pipework are routinely inspected and cleaned
7. It is anticipated that this will increase to quarterly cycle as the system acquires maturity and usage of the storage areas are determined
8. Channel drainage should be constructed to manufacturers specifications.

Town & Country Planning (Scotland) Act, 1997 as amended

REFUSED

30 March 2021

Development Management Environmental Services The Moray Council

PLANNING

Rev.	Date	Remarks	By	Ch.
C	26.08.20	Layout revised.	PD	
B	16.06.20	Surface Water outfall amended to connect to existing swale. Invert levels amended.	PD	
A	03.04.20	Surface Water outfall amended to exit through the rear properties land. Wayleave required.	PD	

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED DRAINAGE LAYOUT

Scale	Date	Drawn by	Checked by
1:250	26.03.20	PD	

Drawing no. 10045-C-201

Rev C

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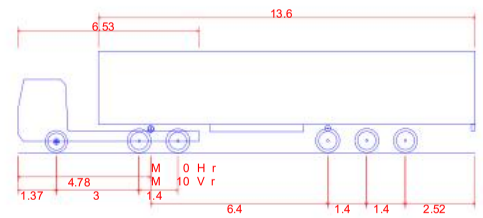
Notes:-

Visibility Splay 2.4m x 43m



Max Legal Length (UK) Articulated Vehicle (16.5m)

Overall Length	16.500m
Overall Width	2.550m
Overall Body Height	3.681m
Min Body Ground Clearance	0.411m
Max Track Width	2.500m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	6.530m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

ECS Transport Planning Ltd
Centrum Offices
38 Queen Street
Glasgow
G1 3DX

ECS TRANSPORT PLANNING LIMITED

Telephone: 0844 443 0934
Email: info@ecstransport.co.uk

Client

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project

PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title

INDICATIVE ACCESS ARRANGEMENT

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
1:500	03.02.21

Project No.	Drawing No.	Rev
20044	20044_006	-

Purpose of Issue

- [ ] Preliminary
- [ ] For Tender
- [ ] For Construction
- [ ] _____
- [x] For Information
- [ ] For Approval
- [ ] As Built

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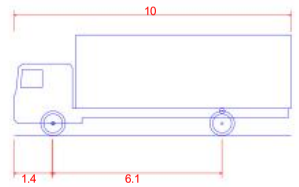
Notes:-

Visibility Splay 2.4m x 43m



FTA Design HG Rigid Vehicle (1998)

Overall Length	10.000m
Overall Width	2.500m
Overall Body Height	3.645m
Min Body Ground Clearance	0.440m
Track Width	2.470m
Lock to lock time	3.00s
Kerb to Kerb Turning Radius	11.000m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

ECS Transport Planning Ltd
Centrum Offices
38 Queen Street
Glasgow
G1 3DX

Telephone: 0844 443 0934
Email: info@ecstransport.co.uk

Client
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project
PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title
INDICATIVE ACCESS ARRANGEMENT

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
1:500	03.02.21

Project No.	Drawing No.	Rev
20044	20044_007	-

Purpose of Issue
- [ ] Preliminary
- [ ] For Tender
- [ ] For Construction
- [ ] _____
- [x] For Information
- [ ] For Approval
- [ ] As Built

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A3

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N

PLANNING

LEGEND:
Site boundary.

Site area:
2693m^2 / 0.67 acres

Rev.	Date	Remarks	By	Ch.
-	-	-	-	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
LOCATION PLAN

Scale	Date	Drawn by	Checked by
1:1250	03.12.2019	BRL	VM

Drawing no.
L-001

Rev
-

A1

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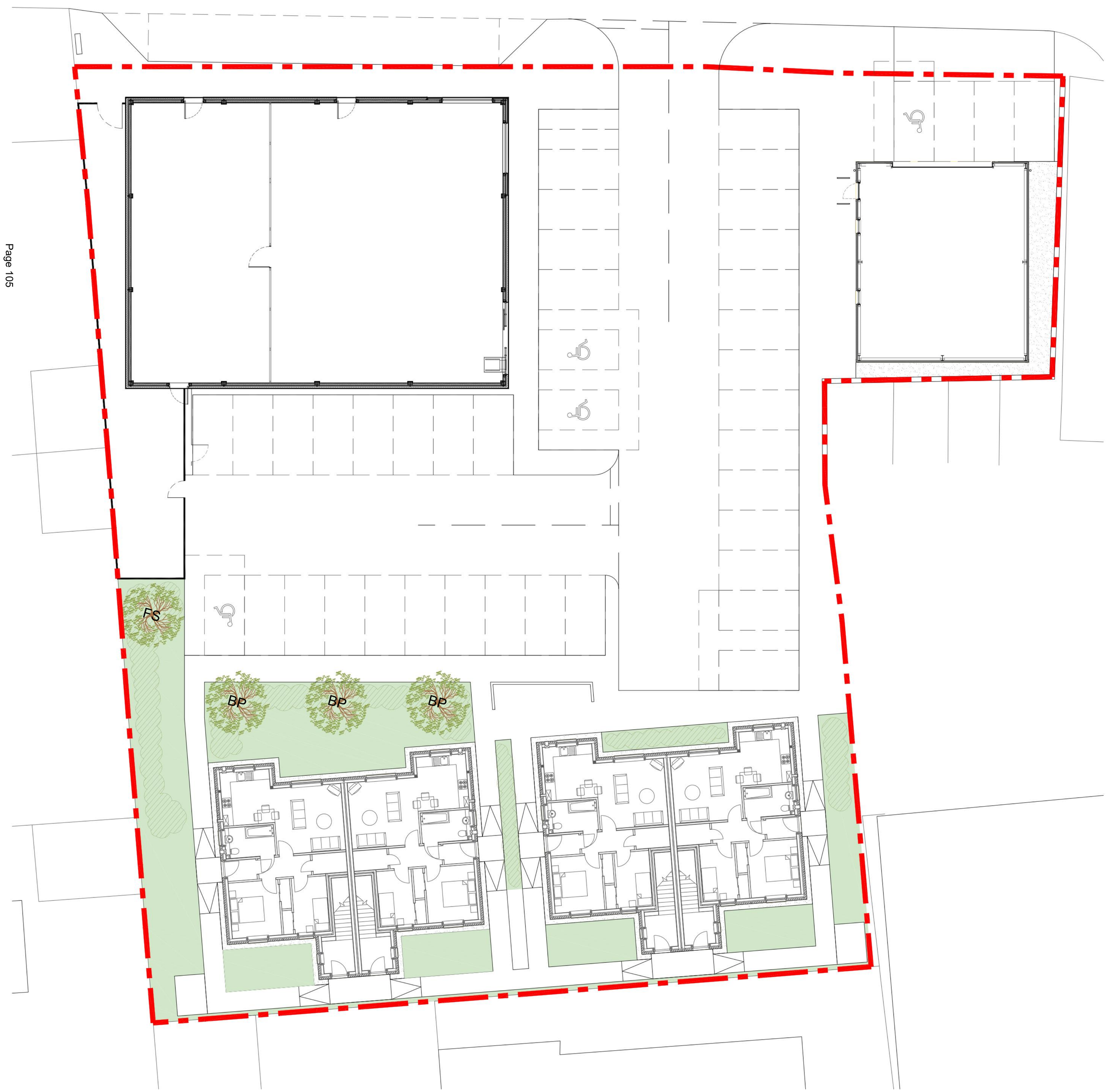

N

PLANNING

LEGEND:

SITE BOUNDARY.
AREA: 2 3m^2 0. 7 ACRES

GRASS.

SHRUB BEDDING

SPECIES	COMMON NAME	HEIGHT	SPACING	MIX
BUDDLE A WEYERIANA	BUDDLEIA	30 40 m	0.5m	34
HEBE PINGUIFOLIA PAGEI	HEBE	25 30 m	0.5m	33
SENECIO POLYODON	SENECIO	30 40 m	0.5m	33

FS SEMI MATURE SPECIMEN FEATURE TREES

SPECIES	COMMON NAME	SI E
FAGUS SYLVATICA	BEECH	30 35 m GIRTH

BP HEAVY STANDARD TREES

SPECIES	COMMON NAME	SI E
BETULA PENDULA	SILVER BIRCH	10 12 m GIRTH

SCALE 1:125
0 .25m

Rev.	Date	Remarks	By	Ch.
.	.	.	.	.

Revisions

SREM

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4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

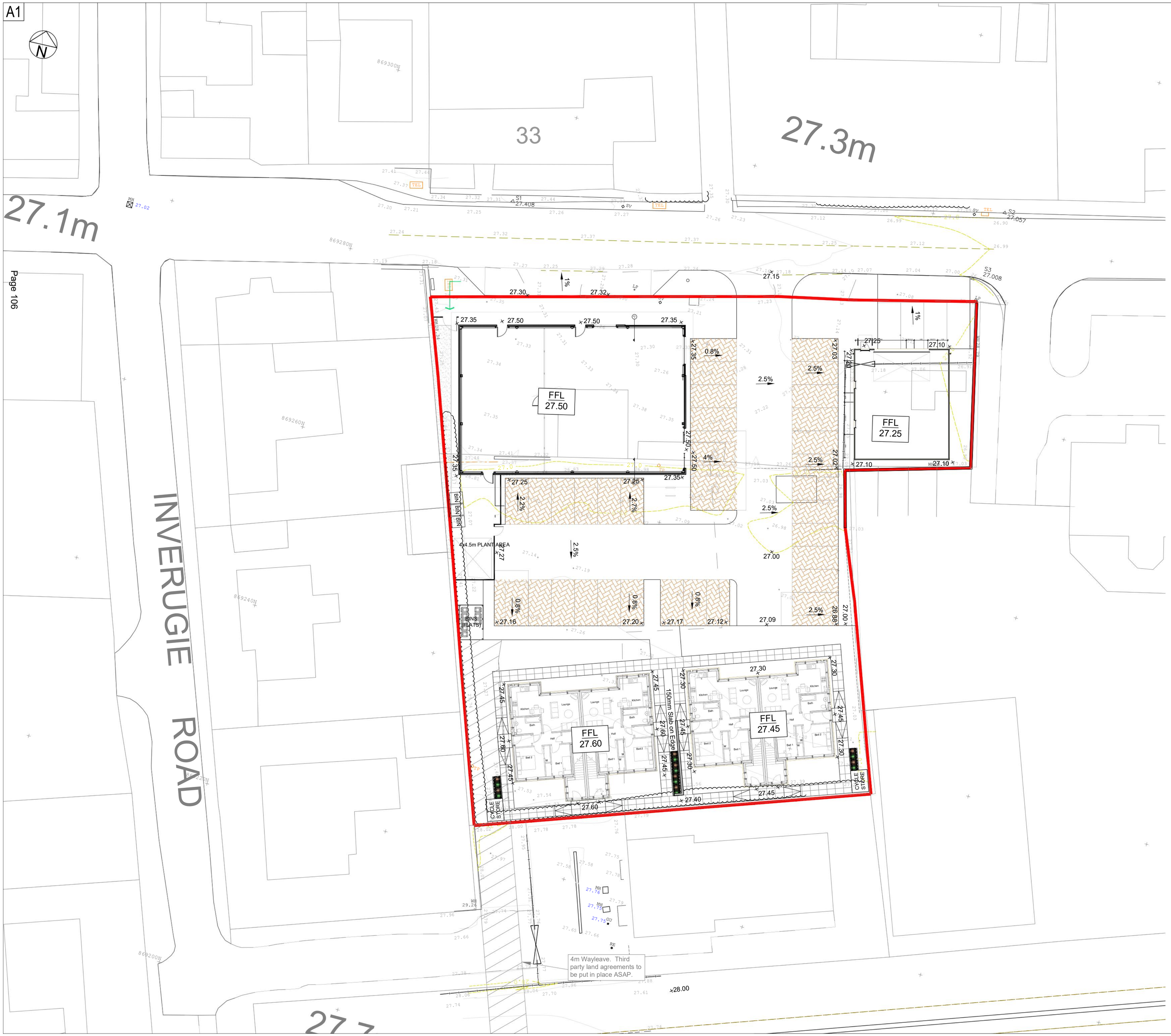
Drawing
LANDSCAPING PLAN

Scale	Date	Drawn by	Checked by
1:125	16.02.2021	BRL	ND

Drawing no. L-007

Rev -

A1



LEGEND:

FFL 8.95	Proposed Finished Floor Level
8.95	Proposed Spot Level
×(9.14)	Existing Spot Level

1. All existing drainage to be checked by contractor prior to construction.
2. All drainage filter trenches to be continuous protected from ingress of construction materials during the construction phase of the works.
3. Prior to concreting all filter trenches to be washed down into silt traps and waste material to be removed when washings running clear.
4. All silt traps to be continuously monitored during construction and cleaned out weekly during construction phase of works
5. On completion of works, all pipework and filter trenches to be cleared of detritus and made ready to accept rainwater runoff from the site
6. The maintenance required to be adopted should initially be based on a bi-monthly routine during both wet and dry seasons when silt traps and pipework are routinely inspected and cleaned
7. It is anticipated that this will increase to quarterly cycle as the system acquires maturity and usage of the storage areas are determined

Important notes for clients / contractors
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PLANNING

Rev.	Date	Remarks	By	Ch.
A	08.07.20	Layout revised. Levels updated.	PD	

Revisions

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0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED LEVELS LAYOUT

Scale	Date	Drawn by	Checked by
1:200	26.03.20	PD	

Drawing no. 10045-C-301

Rev A

A1

Important notes for clients / contractors
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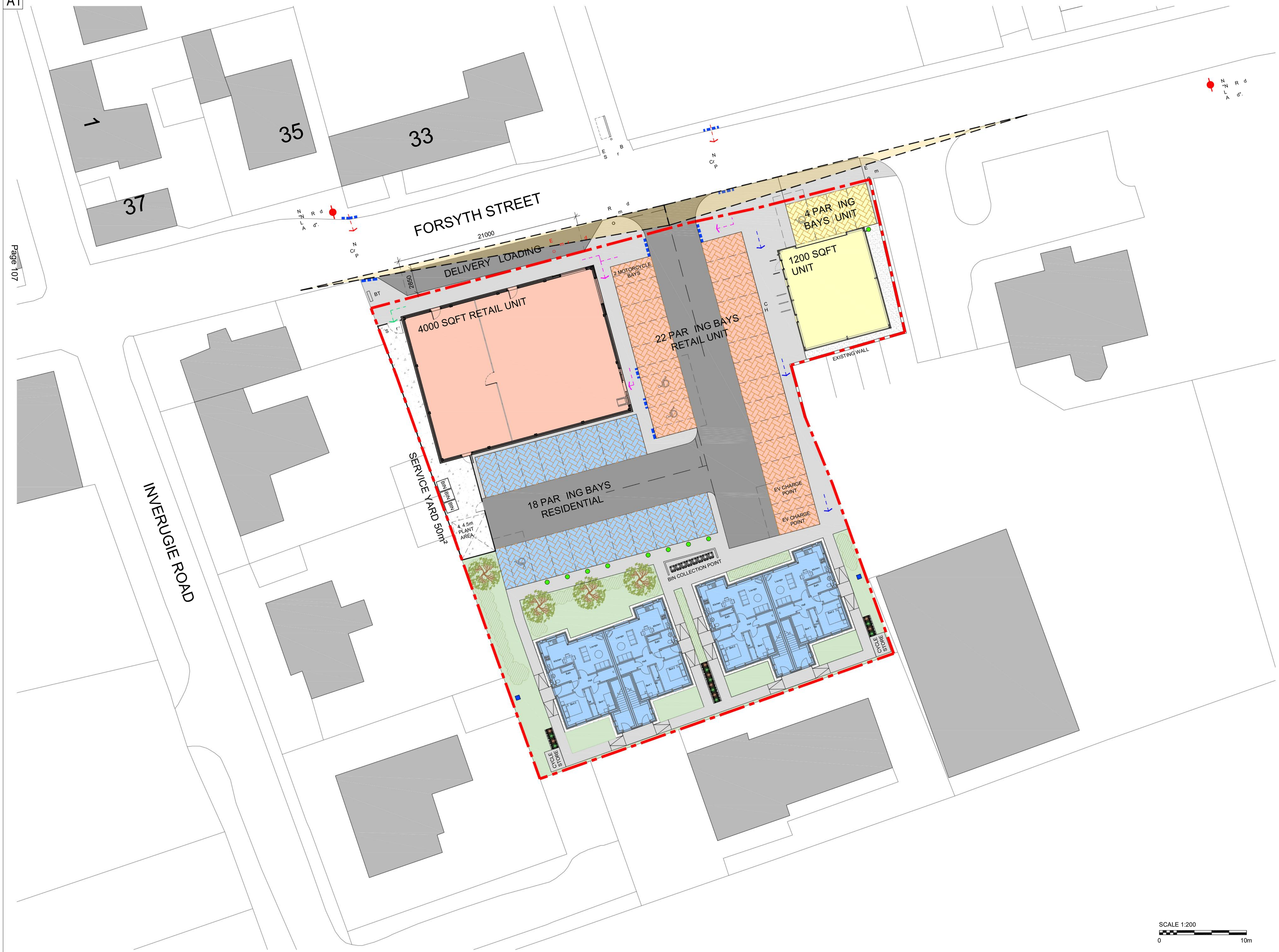

N

PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2 3m² 0. 7 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOC PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.
- PEDESTRIAN ACCESS TO RETAIL RESIDENTIAL.
- PEDESTRIAN ACCESS TO RETAIL ONLY.
- PEDESTRIAN ACCESS TO RESIDENTIAL ONLY.
- SERVICE YARD DELIVERY ACCESS.
- DROPPED ERB WITH TACTILE PAVING.
- NEW ROAD SIGN "NEW ROAD LAYOUT AHEAD".
- POTENTIAL EV CHARGE POINT.
- BIRD BOX.

SCALE 1:200
0 10m

Rev.	Date	Remarks	By	Ch.
J	16.02.2021	Landscaping updated.	BRL	-
H	05.02.2021	Door moved, disabled bay & EV added to starter unit. Additional EV point to retail parking.	BRL	-
G	03.02.2021	Footpath widened on Forsyth Street.	BRL	-
F	27.01.2021	Road safety audit & Planning updates.	BRL	-
E	31.08.2020	Motorcycle bays and bin collection note added.	BRL	-
D	21.08.2020	Loading bay extended. Pedestrian routes updated.	BRL	-
C	18.08.2020	Parking reconfigured & footpath to east boundary added to suit Planning feedback.	BRL	-
B	03.07.2020	Amendments to suit topo.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM

Drawing no. L-003

Rev J

A1

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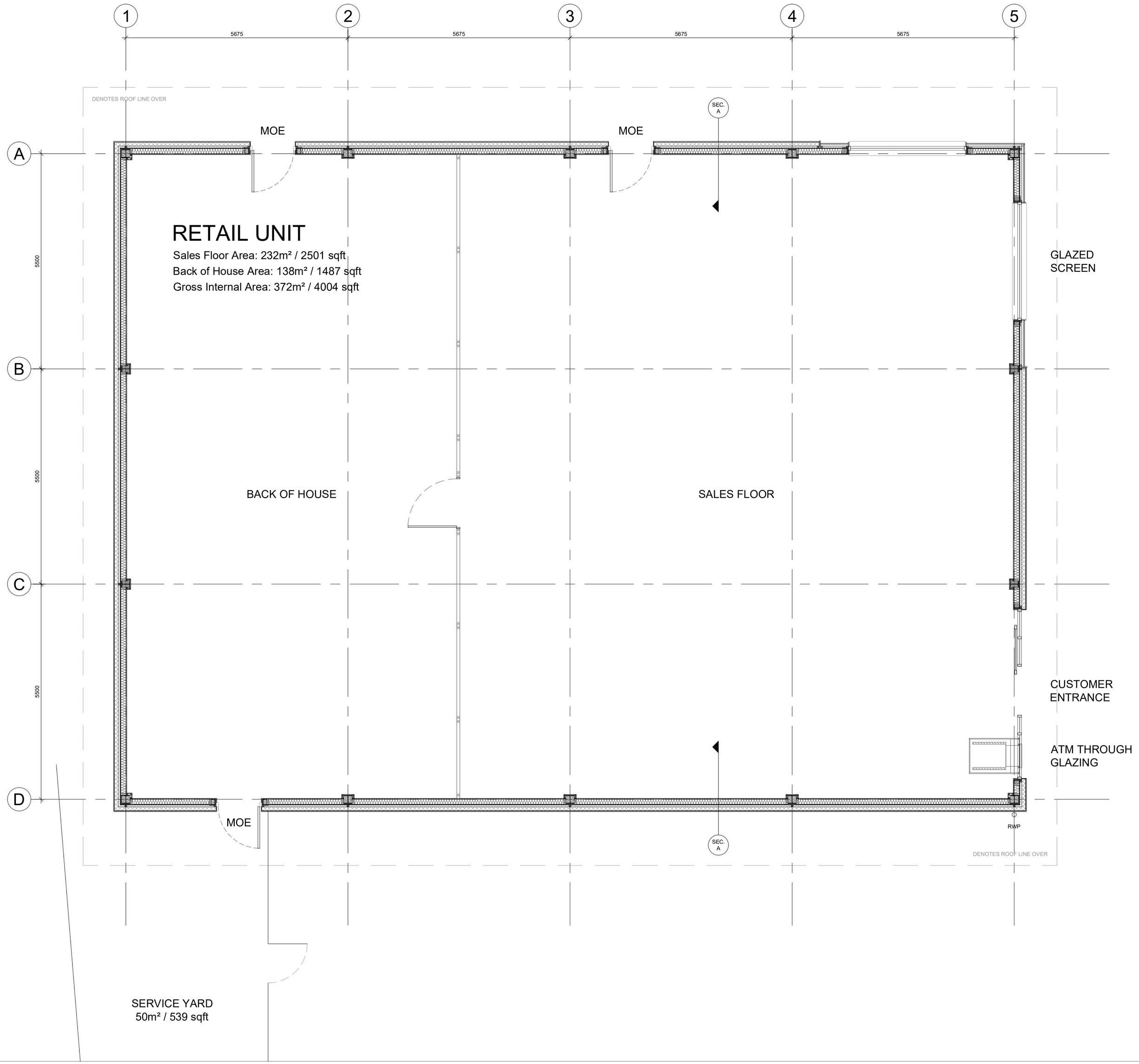

PLANNING

Rev.	Date	Remarks	By	Ch.
A	07.07.2020	General updates for planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
4000 SQFT RETAIL UNIT
GROUND FLOOR PLAN

Scale	Date	Drawn by	Checked by
1:50	21.02.2020	BRL	VM

Drawing no. L-102

Rev A

A1

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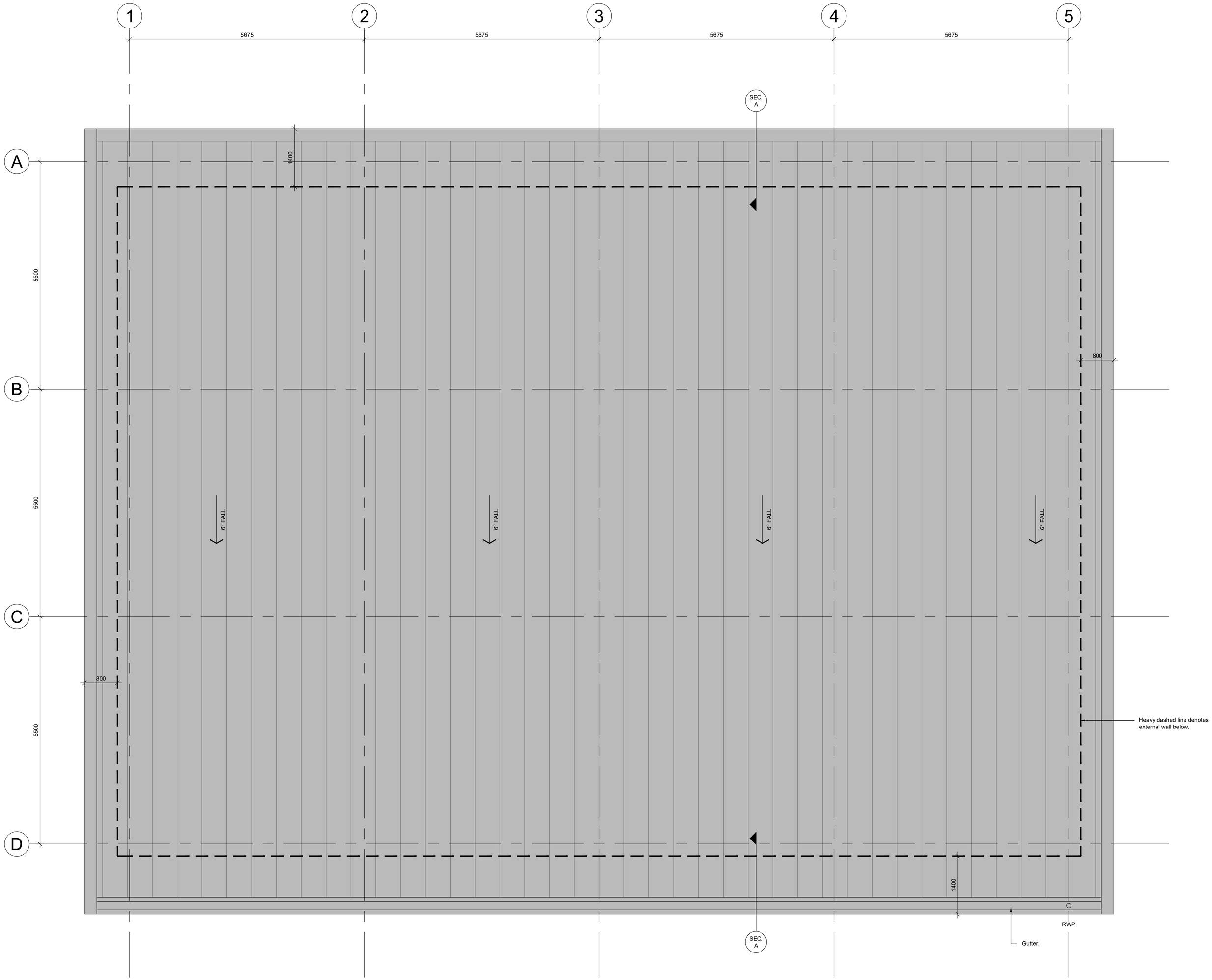

PLANNING

Rev.	Date	Remarks	By	Ch.
A	07.07.2020	General updates for planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
4000 SQFT RETAIL UNIT
ROOF PLAN

Scale	Date	Drawn by	Checked by
1:50	21.02.2020	BRL	VM

Drawing no. L-103

Rev A

A1

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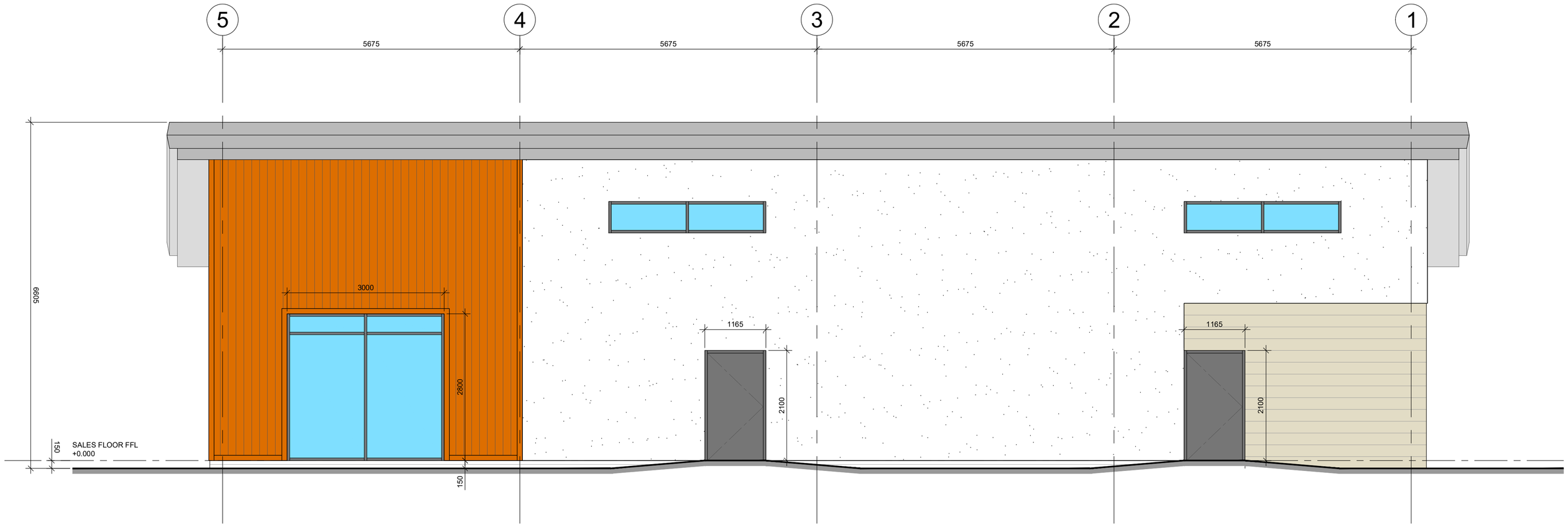
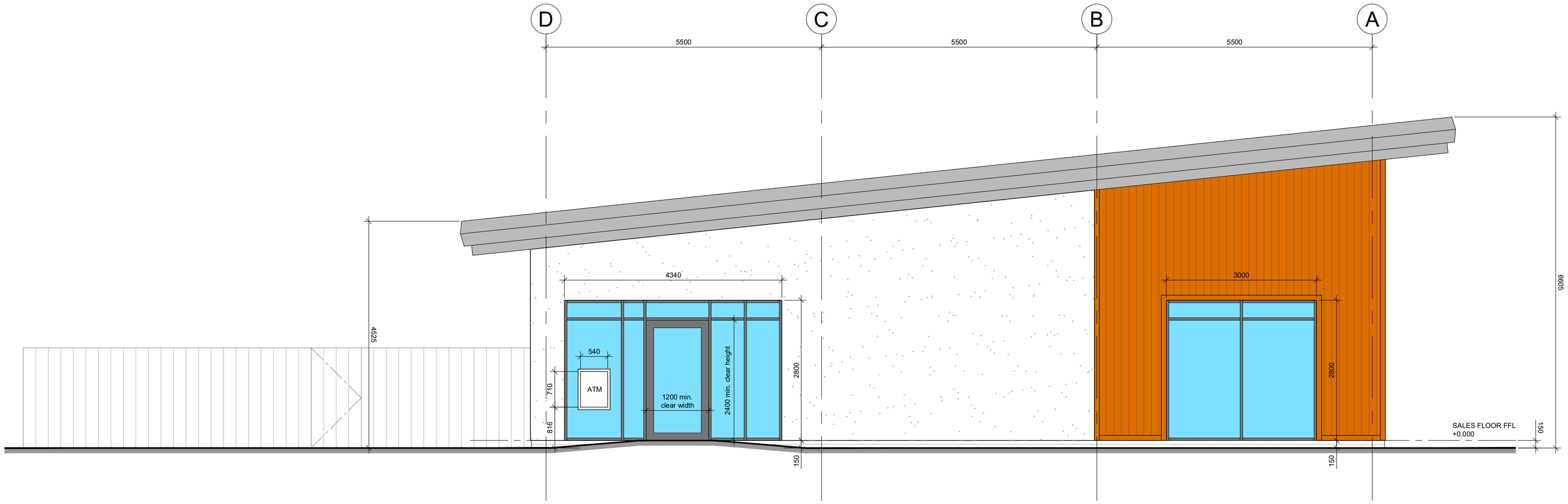


FORSYTH STREET ELEVATION

PLANNING

FINISHES LEGEND:

- KINGSPAN KINGZIP KS1000 STANDING SEAM ROOF PANELS. COLOUR OF PANELS & FLASHINGS: RAL 7035.
- NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
- 20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.
- CAITHNESS STONE FEATURE TO EXTERNAL WALLS.



STORE ENTRANCE ELEVATION

Rev.	Date	Remarks	By	Ch.
A	07.07.2020	General updates for planning.	BRL	-

Revisions

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Drawing
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ELEVATIONS
SHEET 1

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Drawing no. L-106

Rev A

A1

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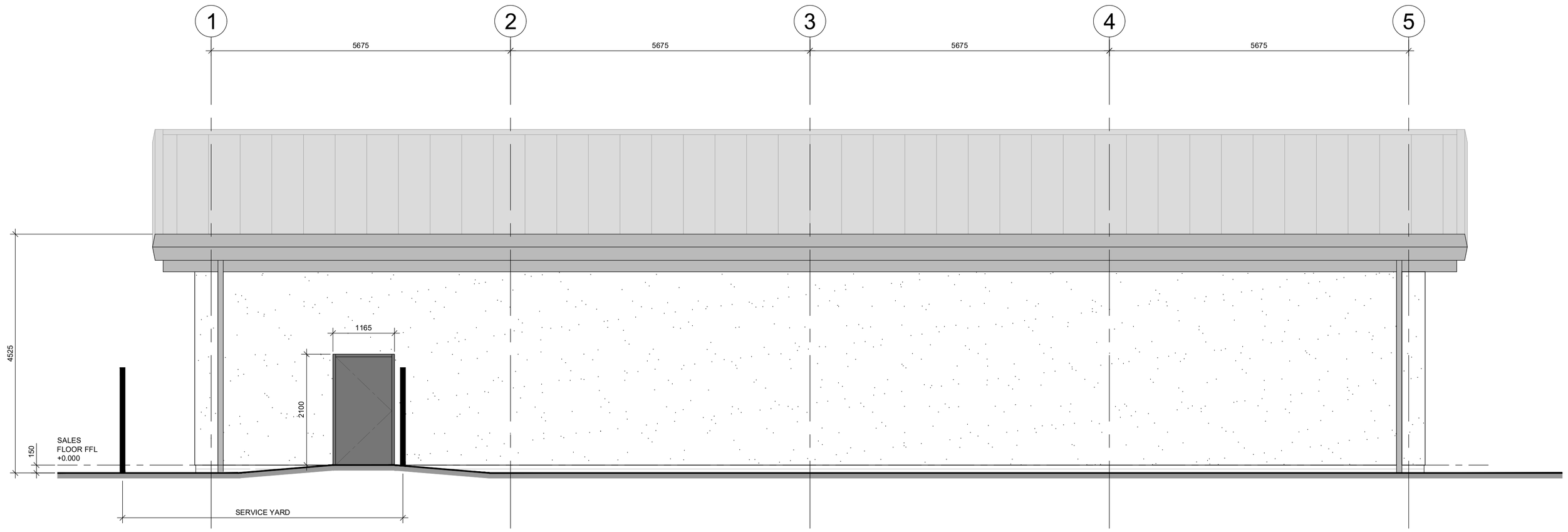
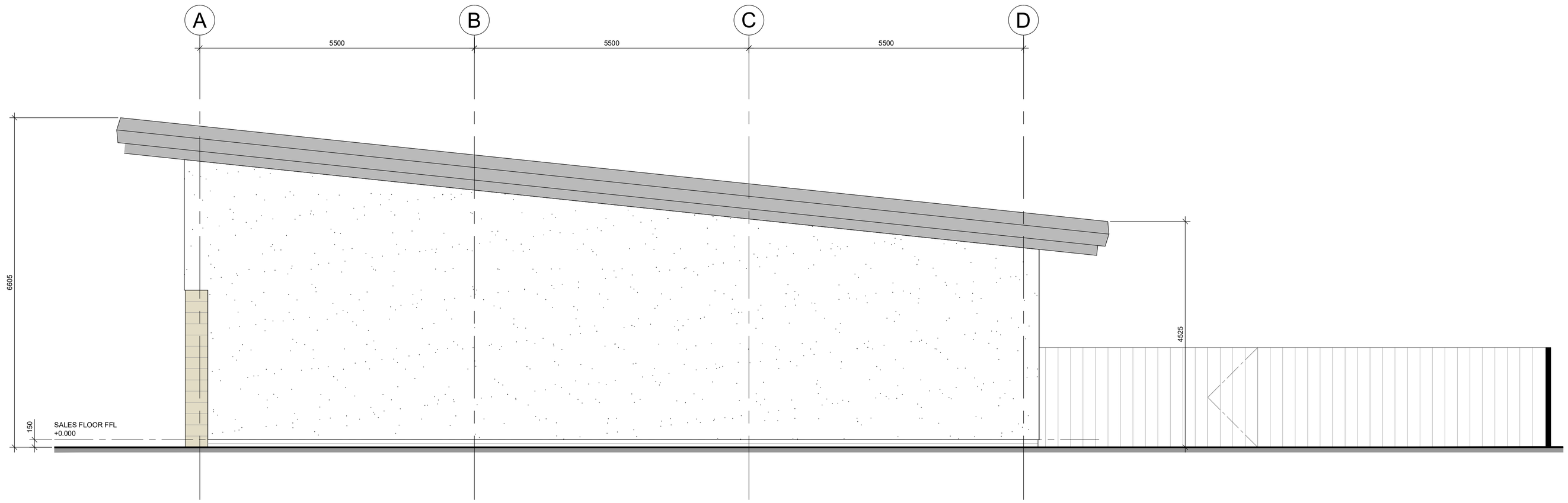


CAR PARK/ SERVICE YARD ELEVATION

PLANNING

FINISHES LEGEND:

- KINGSPAN KINGZIP KS1000 STANDING SEAM ROOF PANELS. COLOUR OF PANELS & FLASHINGS: RAL 7035.
- NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
- 20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.
- CAITHNESS STONE FEATURE TO EXTERNAL WALLS.



GABLE ELEVATION

Rev.	Date	Remarks	By	Ch.
A	07.07.2020	General updates for planning.	BRL	-

Revisions

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Drawing no. L-107

Rev A

A1

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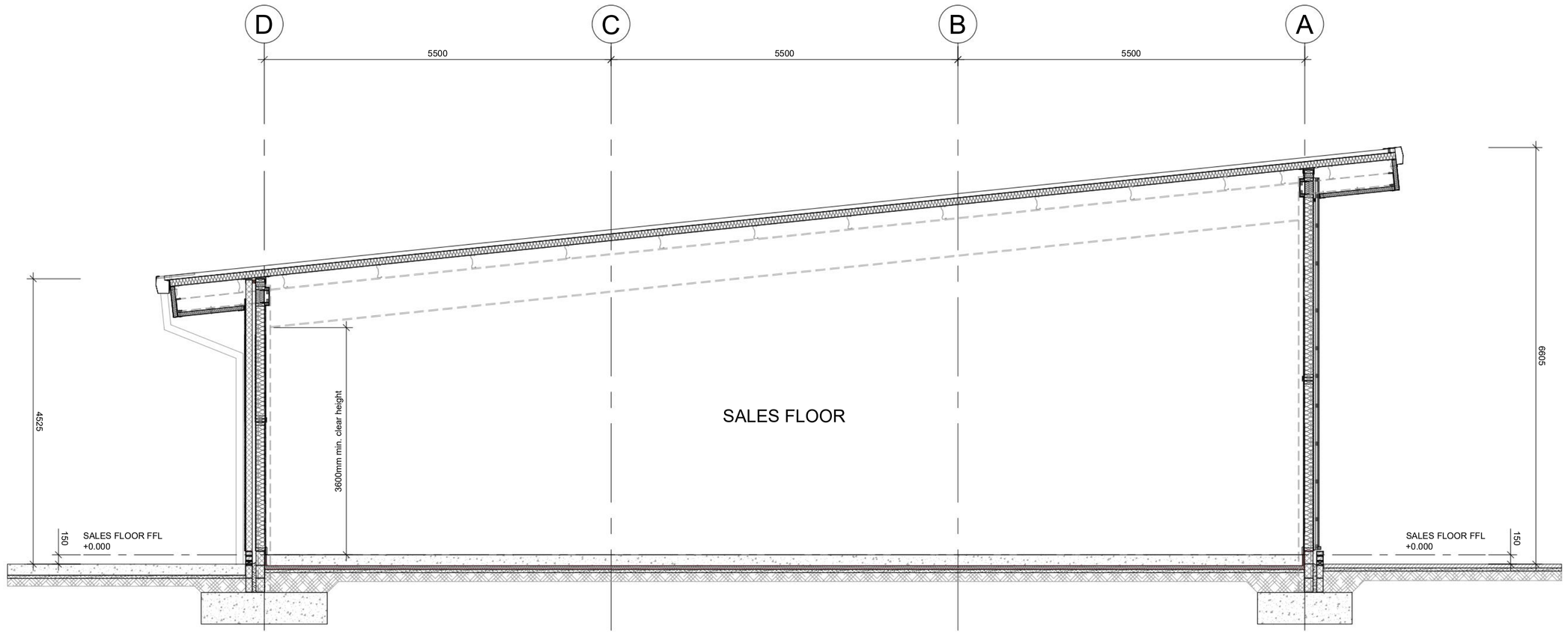

SECTION A-A

Rev.	Date	Remarks	By	Ch.
A	07.07.2020	General updates for planning.	BRL	-

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SECTION A-A
-

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Drawing no. L-108

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A1

SPECIFICATION -

GENERAL:

ALL CONSTRUCTION WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING (SCOTLAND) REGULATIONS 2004 'NON DOMESTIC' TECHNICAL HANDBOOK, AND MUST BE TO THE SATISFACTION OF THE LOCAL BUILDING CONTROL OFFICER.
ALL CURRENT RELEVANT CODES OF PRACTICE, IEE REGULATIONS AND BRITISH/ EUROPEAN STANDARDS MUST BE ADHERED TO.

1. WORK TO EVERY BUILDING DESIGNED, CONSTRUCTED AND PROVIDED WITH SERVICES, FITTINGS AND EQUIPMENT TO MEET A REQUIREMENT OF REGULATION 9 TO 12 MUST BE CARRIED OUT IN A TECHNICALLY PROPER AND WORKMANLIKE MANNER, AND THE MATERIALS USED MUST BE DURABLE, AND FIT FOR THEIR INTENDED PURPOSE.
2. ALL MATERIALS, SERVICES, FITTINGS AND EQUIPMENT USED TO COMPLY WITH A REQUIREMENT OF REGULATIONS 9 TO 12 MUST, SO FAR AS REASONABLY PRACTICABLE, BE SUFFICIENTLY ACCESSIBLE TO ENABLE ANY NECESSARY MAINTENANCE OR REPAIR WORK TO BE CARRIED OUT.
3. THE EXISTING SITE IS TO BE CHECKED TO DETERMINE THAT ALL SERVICES HAVE BEEN MADE SAFE AND HAVE BEEN DISCONNECTED.
4. ANY CONTAMINATED GROUND IS TO BE MADE SAFE AND REMOVED FROM SITE BY A QUALIFIED CONTRACTOR.
5. ALL EXISTING TOP SOIL IS TO BE REMOVED AND GROUND WORKS CARRIED OUT TO ESTABLISH THE PROPOSED SITE LEVELS REQUIRED.

SUBSTRUCTURE AND FOUNDATIONS:

INSITU REINFORCED CONCRETE PAD & STRIP FOUNDATIONS TO BE CONSTRUCTED TO SUPPORT STEEL FRAME & EXTERNAL WALLS, ALL TO THE STRUCTURAL ENGINEERS DESIGN & SPECIFICATION..
SUBSTRUCTURE WALLS COMPRISE 100mm THICK CONCRETE BLOCKWORK EXTERNAL LEAF WITH DPC A MIN. OF 150mm ABOVE FGL.
60mm WIDE CAVITY.
140mm THICK CONCRETE BLOCKWORK INTERNAL LEAF.
BLOCKWORK TO BE BUILT OFF FOUNDATIONS UP TO FINISHED FLOOR LEVEL.

STEEL FRAME:

THE STEEL FRAME IS TO BE CONSTRUCTED TO THE STRUCTURAL ENGINEERS DESIGN & SPECIFICATION.

REFER TO THE FIRE STRATEGY PLAN FOR THE EXTENT OF INTUMESCENT PAINT TO THE STEEL FRAME. THE INTUMESCENT PAINT IS TO BE SUPPLIED AND INSTALLED TO THE MANUFACTURERS SPECIFICATION AND MUST COMPLY WITH BS476: PART 20: 1987.

DRAINAGE:

FOUL AND SURFACE WATER DRAINAGE FROM DISCONNECTING MANHOLES TO THE PUBLIC SEWER ARE TO BE DESIGNED BY A CONSULTING ENGINEER IN ACCORDANCE WITH THE 'SEWERS FOR SCOTLAND 2' DESIGN GUIDE.
HDPE PIPWEORK IS TO BE USED IN ALL INTERNAL & EXTERNAL ABOVE GROUND DRAINAGE.
SOIL STACKS AND BRANCHES TO WC UNITS ARE TO BE 110mm DIA.
SINK WASTE PIPES ARE TO BE 38mm DIA.
WHB WASTE PIPES ARE TO BE 32mm DIA.
ALL BRANCHES ARE TO CONNECT TO THE SOIL VENT PIPES INDIVIDUALLY AND BE FITTED WITH 75mm DEEP SEAL TRAPS TO ALL APPLIANCES.
THE DISCHARGE OF ALL SURFACE WATER IS TO BE DESIGNED TO SATISFY ALL THE REQUIREMENTS OF THE STATUTORY AUTHORITIES INCLUDING THE ENVIRONMENT AGENCY AND SEPA AS APPROPRIATE INCLUDING ANY SUDS REQUIREMENTS.
THE SURFACE WATER DISCHARGE SYSTEM IS TO BE DESIGNED TO COPE WITH A 1 IN 200 YEAR STORM.
ALL MANHOLE COVERS AND GULLEY GRATES ARE TO BE SELECTED TO WITHSTAND THE WHEEL LOADINGS OF TRAFFIC.
ALL EXTERNAL GULLEY AND CHANNEL GRATINGS ARE TO BE SELECTED TO PREVENT A HAZARD TO CUSTOMERS, CHILDREN, ANIMALS AND TROLLEY WHEELS.
YARD AREA GULLEYS ARE TO BE DESIGNED TO ALLOW FOR WASHING DOWN REQUIREMENTS.
THIS INFORMATION SHOULD BE READ IN CONJUNCTION WITH THE STRUCTURAL ENGINEERS DRAWINGS & SPECIFICATIONS.

MAXIMUM 'U'-VALUES FOR SHELL BUILDING ELEMENTS:

WALLS	0.23 W/m²K
FLOOR	0.20 W/m²K
ROOF	0.15 W/m²K
WINDOWS	1.60 W/m²K
DOORS	1.60 W/m²K

GROUND FLOOR CONSTRUCTION:

150mm THICK REINFORCED INSITU CONCRETE FLOOR SLAB TO THE STRUCTURAL ENGINEERS DESIGN & SPECIFICATION.
SLAB TO BE RECESSED 15mm LOWER THAN THE FINISHED FLOOR LEVEL TO ALLOW THE TENANT TO INSTALL THEIR CERAMIC TILE FLOOR FINISH.
POLYTHENE SEPARATION LAYER.
60mm THICK 'KINGSPAN KOOLTHERM' K103 FLOORBOARD RIGID INSULATION BOARD.
A CONTINUOUS LAPPED AND SEALED HORIZONTAL 'VISQUEEN' DPM TO RETURN VERTICALLY AT EXTERNAL PERIMETER WALL.
50mm THICK SAND BLINDING.
150mm THICK SELECTED WELL COMPACTED HARDCORE BASE TO THE STRUCTURAL ENGINEERS SPECIFICATION.
25mm THICK 'KINGSPAN KOOLTHERM' K103 FLOORBOARD RIGID INSULATION BOARD TO BE TAKEN UP VERTICALLY AT THE EXTERNAL PERIMETER WALL.
FLOOR CONSTRUCTION TO ACHIEVE A MAX. U-VALUE OF 0.20 W/m²K.

EXTERNAL WALL CONSTRUCTION:

WALL TYPE EX.1
20mm THICK DRY DASH 'K-REND' EXTERNAL FINISH. COLOUR: WHITE.
APPLIED TO THE MANUFACTURERS SPECIFICATION AND INSTALLED WITH ALL NECESSARY EXPANDED STAINLESS STEEL BELL CAST AND CORNER BEADS ETC AS REQUIRED WITH DPC 150mm ABOVE THE FINISHED GROUND LEVEL.
100mm THICK CONCRETE BLOCK WORK.
PROPRIETARY CAVITY WALL WEEP VENTS INSTALLED AT 900mm CENTRES AND 450mm ABOVE LINTELS AND OPENINGS TO PROVIDE VENTILATION TO CAVITY.
50mm CLEAR CAVITY.
'ROCKWOOL SP' OR EQUAL DPC WRAPPED CAVITY BARRIERS TO ACHIEVE 30 MINS FIRE RESISTANCE GENERALLY. ALL CAVITY BARRIERS TO BE SUPPLIED & INSTALLED AS PER THE MANUFACTURERS WRITTEN INSTRUCTIONS. THESE MUST ALSO COMPLY WITH BS476:PART 20:1987.
KINGSPAN NILVENT BREATHABLE MEMBRANE.
9mm O.S.B. BOARDING.
140mm TREATED TIMBER STUDS AT 600mm CENTRES.
90mm KINGSPAN KOOLTHERM K112 INSULATION BOARD BETWEEN STUDS.
1000 GAUGE POLYTHENE VAPOUR CONTROL LAYER.
15mm THICK PLASTERBOARD INTERNAL LINING. ALL JOINTS TAPED AND FILLED TO RECEIVE A PAINT FINISH.
WALL TO BE CONSTRUCTED WITH ALL NECESSARY DPC'S, STAINLESS STEEL WALL TIES AND CAVITY FIRE STOPS ETC AS REQUIRED.
PROPRIETARY EXPANSION JOINTS INSTALLED AT MAX. 6000mm CENTRES.
WALL CONSTRUCTION TO ACHIEVE A MAX. U-VALUE OF 0.23 W/m²k.

WALL TYPE EX.2
145x23mm NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS TO BE CONSTRUCTED WITH LOOSE JOINTS AND 10mm WIDE GAPS.
AT TOP AND BOTTOM TO PROVIDE VENTILATION TO THE CAVITY BEHIND.
TIMBER TO BE TREATED WITH 'HR PROF' EXTERNAL FIRE RESISTANCE COATING TO GIVE A CLASS '0' SPREAD OF FLAME RESISTANCE APPLIED IN ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS AND MUST COMPLY WITH B.S.476 : PART 22.
32x50mm HORIZONTAL TREATED TIMBER BATTENS AT 600mm MAX. CENTRES.
'ENVIROGRAF CV STRIP OR ENVIROGRAF FB/TS' INTUMESCENT CAVITY BARRIERS TO ACHIEVE 30 MINS FIRE RESISTANCE GENERALLY. ALL CAVITY BARRIERS TO BE SUPPLIED & INSTALLED AS PER THE MANUFACTURERS WRITTEN INSTRUCTIONS. THESE MUST COMPLY WITH BS476 PARTS 20 & 22, AND BS EN 1363-1 (1999).
32x50mm VERTICAL TREATED TIMBER BATTENS AT 600mm MAX. CENTRES.
KINGSPAN NILVENT BREATHABLE MEMBRANE.
9mm O.S.B. BOARDING.
140mm TREATED TIMBER STUDS AT 600mm CENTRES.
100mm KINGSPAN KOOLTHERM K112 INSULATION BOARD BETWEEN STUDS.
1000 GAUGE POLYTHENE VAPOUR CONTROL LAYER.
15mm THICK PLASTERBOARD INTERNAL LINING. ALL JOINTS TAPED AND FILLED TO RECEIVE A PAINT FINISH.
WALL TO BE CONSTRUCTED WITH ALL NECESSARY DPC'S, STAINLESS STEEL WALL TIES AND CAVITY FIRE STOPS ETC AS REQUIRED.
PROPRIETARY EXPANSION JOINTS INSTALLED AT MAX. 6000mm CENTRES.
WALL CONSTRUCTION TO GIVE A MAX. U-VALUE OF 0.23 W/m²K.
EXTERNAL WALL TO ACHIEVE A 1 HOUR FIRE RESISTANCE DURATION.

ROOF CONSTRUCTION:

COMPOSITE ROOF PANELS
KINGSPAN KINGZIP KS1000 STANDING SEAM ROOF PANELS (147mm CORE / 212mm OVERALL).
FIRE SAFE ECOSAFE POLYISOCYANURATE (PIR) TO COMPLY WITH THE LOSS PREVENTION CERTIFICATION BOARD REQUIREMENTS LP.S. 1181 : PART 1 2005.
FIXED TO ROOF PURLINS AND TOP OF STRUCTURAL STEEL FRAME, ALL TO THE STRUCTURAL ENGINEERS SPECIFICATIONS AND DETAILS.
CLADDING TO HAVE A CLASS '0' INTERNAL AND EXTERNAL FIRE RESISTANCE TO COMPLY WITH B.S.476 : PART 6 : 2009.
ROOF PITCH TO BE 6 DEGREES.
COLOUR OF ROOF PANELS: RAL 7035.
COLOUR OF ASSOCIATED FLASHINGS: RAL 7035.
ROOF PANELS TO ACHIEVE A MAX. U-VALUE OF 0.15 W/m²K.

SOFFITS, FASCIAS AND VERGES
60mm THICK KINGSPAN OPTIMO KS1000 WALL PANELS TO FORM SOFFITS, FASCIAS AND VERGES.
FIRE SAFE ECOSAFE POLYISOCYANURATE (PIR) TO COMPLY WITH THE LOSS PREVENTION CERTIFICATION BOARD REQUIREMENTS LPS1181: PART 1: 2005.
FIXED TO PURLINS AT 1000mm CENTRES FIXED ON TOP OF STRUCTURAL STEEL FRAME TO THE STRUCTURAL ENGINEERS SPECIFICATIONS AND DETAILS.
CLADDING TO HAVE A CLASS '0' INTERNAL AND EXTERNAL FIRE RESISTANCE TO COMPLY WITH BS476: PART 6: 2009.

ALL PREFORMED METAL 'HIGHLINE' GUTTERS, FASCIAS, SOFFITS AND VERGES ARE TO BE PROVIDED AND FINISHED WITH A POWDER COATING TO MATCH MAIN ROOF SHEETING PANELS.
ALL FIXING BRACKETS AND SUPPORT ANGLES ETC ARE TO BE PROVIDED AS REQUIRED TO COMPLETE INSTALLATION
ALL INSTALLED TO THE MANUFACTURERS SPECIFICATION.

GUTTERS AND RAINWATER DOWN PIPES
190mm DEEP x 180mm WIDE KINGSPAN HIGHLINE PREFORMED STEEL GUTTER SYSTEM INSTALLED TO THE MANUFACTURERS SPECIFICATION & DETAILS.
SUPPLIED WITH ALL NECESSARY SUPPORT BRACKETS AS REQUIRED.
GUTTER TO BE DESIGNED TO COPE WITH A ONCE IN A 100 YEAR STORM.
RAINWATER DOWN PIPES ARE TO BE 110mm DIA. METAL WITH A POWDER COATED FINISH COLOUR - GREY ALUMINIUM RAL 7043.
ALL CONNECTED INTO THE EXTERNAL DRAINAGE SYSTEM.

EXTERNAL DOORS:

EXTERNAL GLAZED SCREENS AND DOORS:
ALL DOORS, WINDOWS AND SCREENS ARE TO BE FORMED USING THERMALLY BROKEN ALUMINIUM FRAMED UNITS WITH A POWDER COATED FINISH.
COLOUR: RAL 7043 TRAFFIC GREY MATT FINISH.
ALL GLASS INFILL PANELS TO BE HERMETICALLY SEALED DOUBLE GLAZED UNITS.
ALL EXTERNAL GLAZING PANELS ARE TO BE LAMINATED FOR SECURITY.
ALL INTERNAL GLAZED PANELS PARTLY OR WHOLLY WITHIN 800mm FROM THE FINISHED FLOOR LEVEL ARE TO BE GLAZED USING TOUGHENED SAFETY GLASS IN ACCORDANCE WITH BS6262: PART 4: 2005.
ALL WINDOW AND DOOR PANELS ARE TO HAVE OPAQUE ETCHED GLAZING MANIFESTATIONS APPLIED AT HEIGHTS OF 900mm & 1500mm ABOVE FINISHED FLOOR LEVEL.
ALL WINDOWS ARE TO ACHIEVE A U-VALUE OF 1.60 W/m²K.
ALL DOORS ARE TO ACHIEVE A U-VALUE OF 1.60 W/m²K.
OPENINGS ARE TO BE FORMED WITHIN A SECONDARY STEEL STRUCTURE TO THE STRUCTURAL ENGINEERS DESIGN AND SPECIFICATION.
ALL SUPPORT BRACKETS, METAL TIES AND DPC'S ARE TO BE PROVIDED.
ALL NECESSARY IRONMONGERY AND LOCKS ARE TO BE SUPPLIED TO ALLOW OPERATION AS REQUIRED.
ALL WINDOWS AND DOORS TO BE SUPPLIED AND INSTALLED TO THE MANUFACTURERS SPECIFICATION.
LINTOLS TO BE INSTALLED OVER TO SUIT THE STRUCTURAL ENGINEERS REQUIREMENTS.

EXTERNAL SLIDING ENTRY DOORS:
DOUBLE SLIDING ENTRY DOORS ARE TO BE AUTOMATICALLY OPERATED WITH A SENSOR MOUNTED ON THE FRAME.
DOORS ARE TO BE FITTED WITH ACCESSIBLE THRESHOLDS TO ALLOW LEVEL ENTRY (TO THE MANUFACTURERS DETAIL).
DOORS ARE TO HAVE A 'FAIL SAFE' OR BREAK OUT FACILITY PERMITTING DOORS TO BE OPENED IN THE EVENT OF A FIRE.
DOOR CONSTRUCTION AND INSTALLATION IS TO COMPLY WITH BS7036: 1 TO 5: 1996 AND 'THE CODE OF PRACTICE FOR SAFETY AT POWERED DOORS FOR PEDESTRIAN USE'.
ALL NECESSARY IRONMONGERY AND LOCKS ARE TO BE PROVIDED TO ALLOW OPERATION AS REQUIRED.
ALL INSTALLED TO THE MANUFACTURERS SPECIFICATION AND DETAILS.
DOOR TO ACHIEVE A MIN. CLEAR OPENING HEIGHT OF 2400mm.
DOOR TO ACHIEVE A MIN. CLEAR OPENING WIDTH OF 1200mm.

EXTERNAL FIRE EXIT DOORS:
SOLID CORE TIMBER FRAMED DOORSETS WITH PPC STEEL FACINGS TO DOOR AND FRAMES.
ANTI-LIFT VANDAL PROOF HINGES ARE TO BE SUPPLIED FOR SECURITY.
ALL DOORS ARE TO ACHIEVE A MAX. U-VALUE OF 1.60 W/m²K.
OPENINGS ARE TO BE FORMED WITHIN A SECONDARY STEEL STRUCTURE TO THE STRUCTURAL ENGINEERS DESIGN AND SPECIFICATION.
ALL SUPPORT BRACKETS, METAL TIES AND DPC'S ARE TO BE PROVIDED.
ALL NECESSARY IRONMONGERY AND LOCKS ARE TO BE PROVIDED TO ALLOW OPERATION AS REQUIRED.
DOORS TO BE PROVIDED WITH SPECIALIZED PUSH BARS TO OPEN TO SUIT DOOR ENTRY SYSTEM AND MUST COMPLY WITH BS EN: 1125: 1997.
DOORS TO BE SUPPLIED AND INSTALLED TO THE MANUFACTURERS SPECIFICATION.
LINTOLS TO BE INSTALLED OVER TO SUIT THE STRUCTURAL ENGINEERS REQUIREMENTS.

INTERNAL PARTITION:

TO BE INSTALLED AS PART OF THE TENANT FIT OUT.

INTERNAL PASS DOOR:

TO BE INSTALLED AS PART OF THE TENANT FIT OUT.

CEILINGS:

TO BE INSTALLED AS PART OF THE TENANT FIT OUT.

SIMPLIFIED BUILDING ENERGY MODEL (SBEM):

THE CALCULATED CARBON DIOXIDE EMISSIONS FOR THE 'ACTUAL' BUILDING (BUILDING EMISSIONS RATE/ BER) MUST NOT EXCEED THOSE WHICH ARE CALCULATED FOR A 'NOTIONAL' BUILDING (TARGET EMISSIONS RATE/ TER).
THE CARBON DIOXIDE EMISSIONS ARE MEASURED IN KILOGRAMS OF CO2 PER SQUARE METRE OF FLOOR AREA PER ANNUM.
THE SPECIFICATION FOR THE HEATING SYSTEM TO BE PROVIDED WITHIN THE FIT OUT STAGE WILL REQUIRE THE SBEM TO BE REVISED TO MATCH.

STATEMENT OF SUSTAINABILITY (SUSTAINABILITY LABEL):

THE STATEMENT OF SUSTAINABILITY/ SUSTAINABILITY LABEL THAT INCLUDES THE LEVEL OF SUSTAINABILITY ACHIEVED MUST BE FIXED TO THE BUILDING PRIOR TO COMPLETION.
THE SUSTAINABILITY LABEL SHOULD BE INDELIBLY MARKED AND LOCATED IN A POSITION THAT IS READILY ACCESSIBLE, PROTECTED FROM WEATHER AND NOT EASILY OBSCURED.
A SUITABLE LOCATION COULD BE IN A PLANT ROOM OR THE OWNER MAY CHOOSE TO DISPLAY THE LABEL IN A MORE PROMINENT LOCATION.

SERVICES:

REFER TO THE M&E ENGINEERS DESIGN DRAWINGS AND SPECIFICATIONS FOR FURTHER INFORMATION.

MECHANICAL & ELECTRICAL:

REFER TO THE M&E ENGINEERS DESIGN DRAWINGS AND SPECIFICATIONS FOR FURTHER INFORMATION.

VENTILATION:

REFER TO THE M&E ENGINEERS DESIGN DRAWINGS AND SPECIFICATIONS FOR FURTHER INFORMATION.

AIR CONDITIONING:

REFER TO THE M&E ENGINEERS DESIGN DRAWINGS AND SPECIFICATIONS FOR FURTHER INFORMATION.

TESTING:

AIR TIGHTNESS TESTING
AIR TIGHTNESS TESTING WILL BE CARRIED OUT BEFORE THE COMPLETION CERTIFICATE IS ISSUED AND THE RESULTS MUST COMPLY WITH THE FIGURES GIVEN IN THE SAP CALCULATIONS.
THE CONTRACTOR MUST ENSURE THAT ALL NECESSARY STEPS ARE TAKEN TO AVOID THERMAL BRIDGING AND WORKS MUST BE IN ACCORDANCE WITH BRE REPORT BR 262: THERMAL INSULATION, AVOIDING RISKS.
TESTING SHOULD BE IN ACCORDANCE WITH BS EN 13829:2001: THERMAL PERFORMANCE OF BUILDINGS. DETERMINATION OF AIR PERMEABILITY OF BUILDINGS & FAN PRESSURISATION METHOD.
PRACTICAL ADVICE ON PROCEDURE FOR PRESSURE TESTING IS GIVEN IN THE ATTMA PUBLICATION 'MEASURING AIR PERMEABILITY OF BUILDING ENVELOPES' (http://www.attma.org/).
TESTING SHOULD BE CARRIED OUT BY PERSONS WHO CAN DEMONSTRATE RELEVANT, RECOGNIZED EXPERTISE IN MEASURING THE AIR PERMEABILITY OF BUILDINGS.
THIS SHOULD INCLUDE MEMBERSHIP OF A PROFESSIONAL ORGANIZATION WHICH ACCREDITS ITS MEMBERS AS COMPETENT TO TEST AND CONFIRM THE RESULTS OF TESTING.

SOUND TESTING
ELEMENTS OF THIS SPECIFICATION ARE DESIGNED IN ACCORDANCE WITH THE 'EXAMPLE CONSTRUCTION DETAILS FOR NOISE'.
ANY ELEMENTS THAT DEVIATE FROM THESE EXAMPLES WILL BE TESTED ON SITE IN ACCORDANCE WITH SECTION 5.1.8. OF THE BUILDING (SCOTLAND) REGULATIONS 2004 'NON DOMESTIC' TECHNICAL HANDBOOK.

EXTERNAL WORKS:

PAVEMENT CONSTRUCTION
EXTERNAL PAVEMENTS AND ACCESS ROADS ARE TO BE FINISHED IN TARMAC.
PAVEMENTS ARE TO BE GRADED UP LOCALLY AT EXTERNAL MAIN ENTRANCE DOORS AND ALL FIRE EXIT DOORS TO PROVIDE LEVEL ACCESS.
MAXIMUM FALL TO BE 1:20 (i.e.150mm RISE OVER 6000mm HORIZONTALLY).
1500x1500mm LEVEL ENTRANCE PLATT TO BE PROVIDED AT ALL DOORWAYS, WITH MAXIMUM CROSS FALLS OF 1:50 TO PREVENT WATER FROM PONDING.

ROAD AND CAR PARKING AREA CONSTRUCTION
EXTERNAL ROADS ARE TO BE FORMED IN TARMAC.
CAR PARKING AREAS ARE TO BE FORMED IN PERMEABLE BLOCK PAVING AND LAID TO FALL TO SUIT DRAINAGE GULLEY LOCATIONS.
ALL NECESSARY PRE-CAST CONCRETE EDGE AND DROP KERBS AND FOUNDATIONS, ETC. ARE TO BE PROVIDED AS REQUIRED TO COMPLETE THE WORKS.
ALL WORKS ARE TO BE CONSTRUCTED TO THE MANUFACTURERS/ STRUCTURAL ENGINEERS SPECIFICATION AND DETAILS.
CAR PARKING BAYS TO BE SET OUT WITH WHITE THERMOPLASTIC LINE MARKINGS.
ACCESSIBLE PARKING BAYS ARE TO BE DESIGNED TO COMPLY WITH SECTION 4.1.1. OF THE BUILDING (SCOTLAND) REGULATIONS 2004, WITH A MINIMUM OF 1 NO. BAY PER 20 SPACES, AND THIS MUST BE LOCATED WITHIN 45m OF THE MAIN ENTRANCE DOOR.

SERVICE YARD
THE SERVICE YARD IS TO BE FORMED IN CONCRETE AND LAID TO FALLS TO SUIT DRAINAGE GULLEY LOCATIONS.
THE CONCRETE SLAB IS TO BE CONSTRUCTED TO THE STRUCTURAL ENGINEERS SPECIFICATION AND DETAILS.
THE SERVICE YARD IS TO BE A MINIMUM OF 50m².
A CONCRETE HARD STANDING AREA 4x4.5m IS REQUIRED WITHIN THE SERVICE YARD FOR PLANT.
A BIN STORE CAPABLE OF STORING 3 NO. 1100 LITRE REFUSE BINS (1400X1200mm) IS REQUIRED WITHIN THE SERVICE YARD - THIS SHOULD BE SITUATED AWAY FROM THE EXTERNAL WALL OF THE UNIT.
THE SERVICE YARD IS TO BE SECURED WITH A 2.5m HIGH PALADIN FENCE TO BS1722. FENCING TO BE COATED IN BLACK OR GREEN WITH MATCHING GATES.

EXTERNAL DOOR BARRIERS
ALL EXIT DOORS ARE TO BE PROVIDED WITH 2 NO. EXTERNAL GRADE 48mm DIAMETER STAINLESS STEEL TUBULAR BARRIERS 1100mm HIGH x 760mm WIDE WITH INSITU CONCRETE FOUNDATIONS TO PROVIDE CLEARANCE AROUND DOORS AND PREVENT VEHICLES FROM PARKING/ BLOCKING ESCAPE ROUTES.
BARRIERS TO BE 'MALFORD DOOR BARRIER MDB200' BY LANGLEY DESIGN OR EQUAL. BARRIERS TO BE SUPPLIED AND INSTALLED TO THE MANUFACTURERS SPECIFICATION AND DETAILS.

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Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
4000 SQFT RETAIL UNIT
SPECIFICATION NOTES
-

Scale	Date	Drawn by	Checked by
NTS	21.02.2020	BRL	VM

Drawing no. L-109
Rev -

A1

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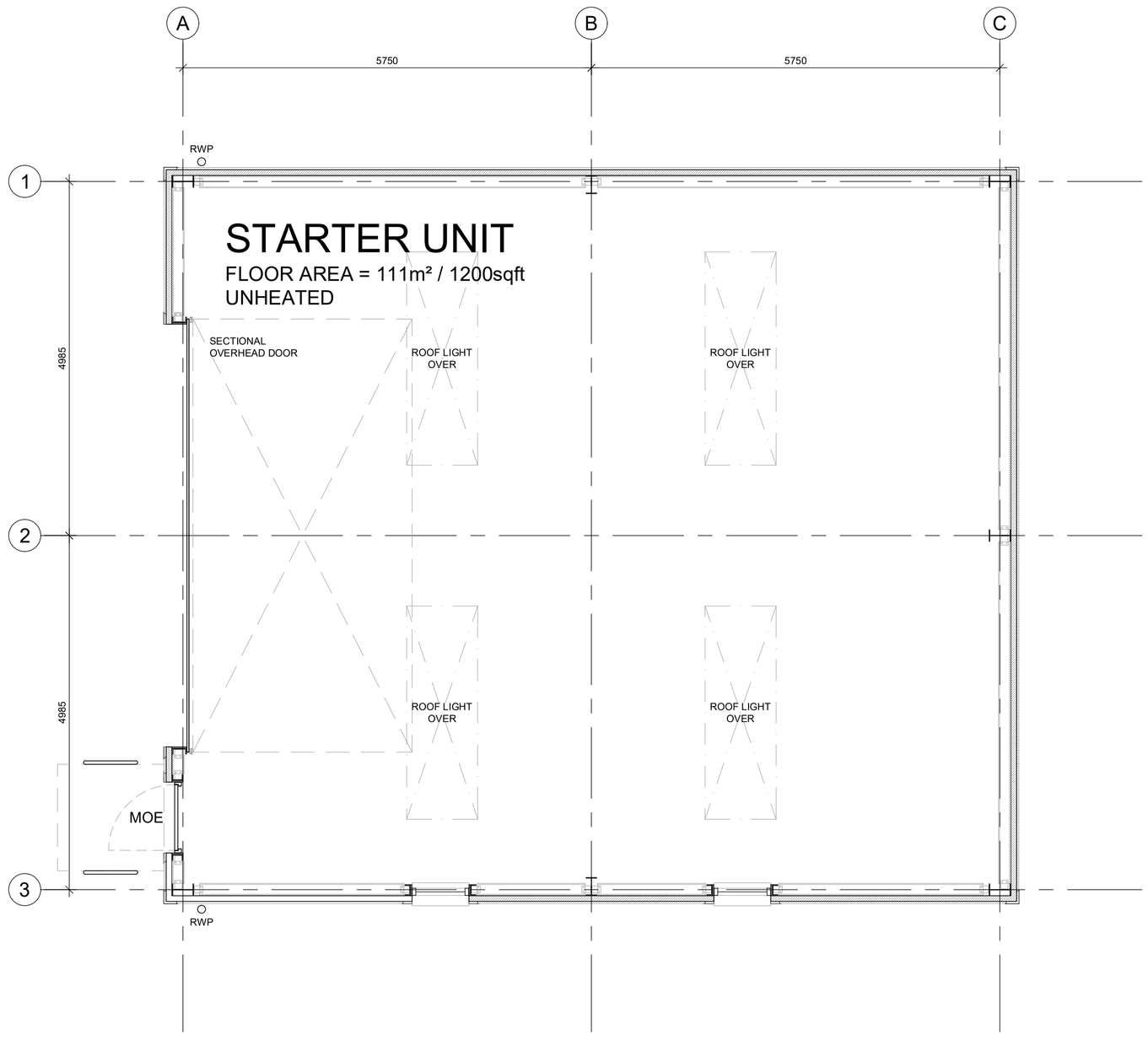
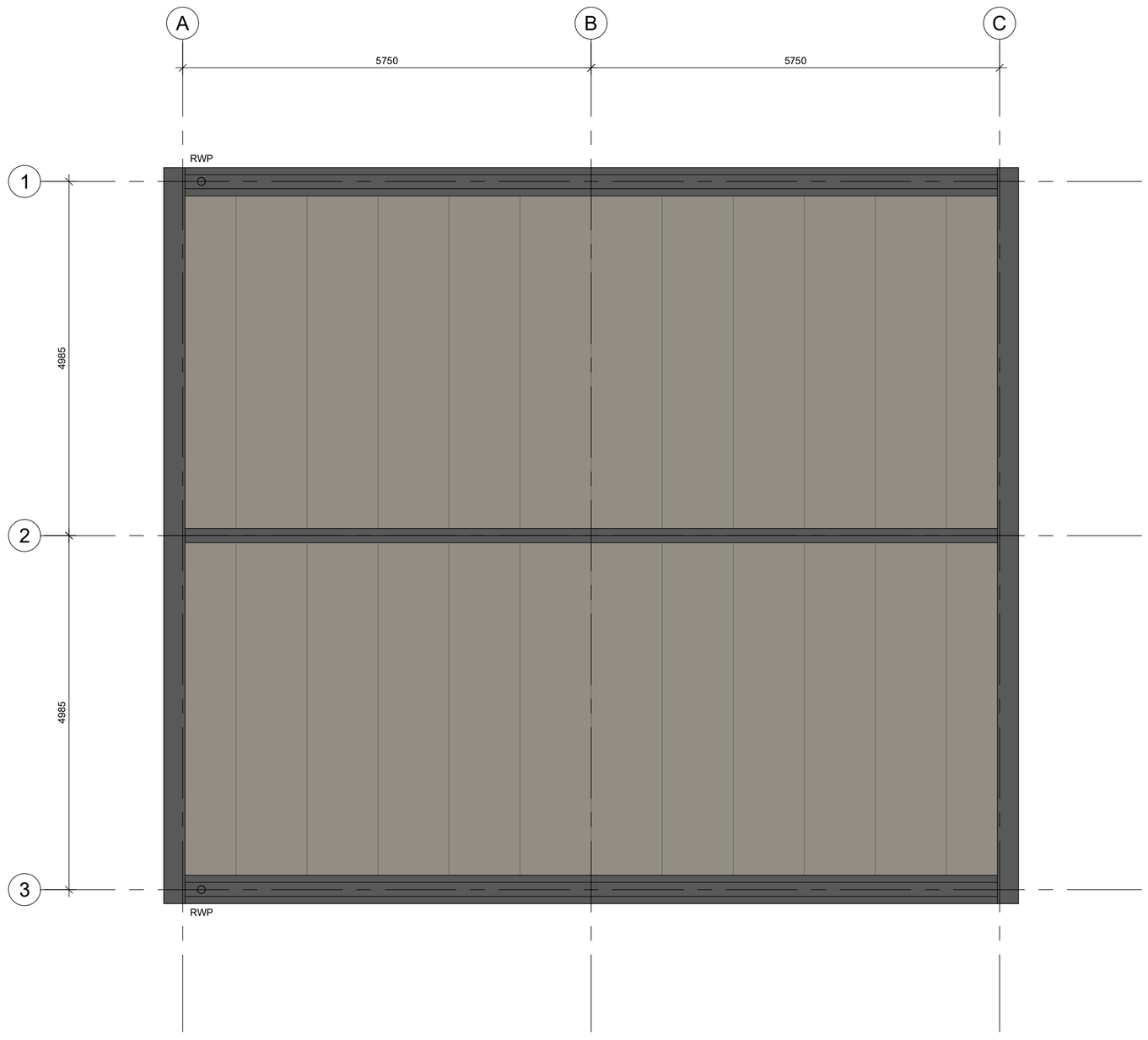


GROUND FLOOR PLAN



ROOF PLAN

Rev.	Date	Remarks	By	Ch.
A	01.07.2020	Updated to suit Planning revisions to site plan.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE
MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
1200 SQFT STARTER UNIT
FLOOR & ROOF PLANS

Scale	Date	Drawn by	Checked by
1:50	06.03.2020	BRL	VM

Drawing no.
L-202

Rev
A

A1

Important notes for clients / contractors
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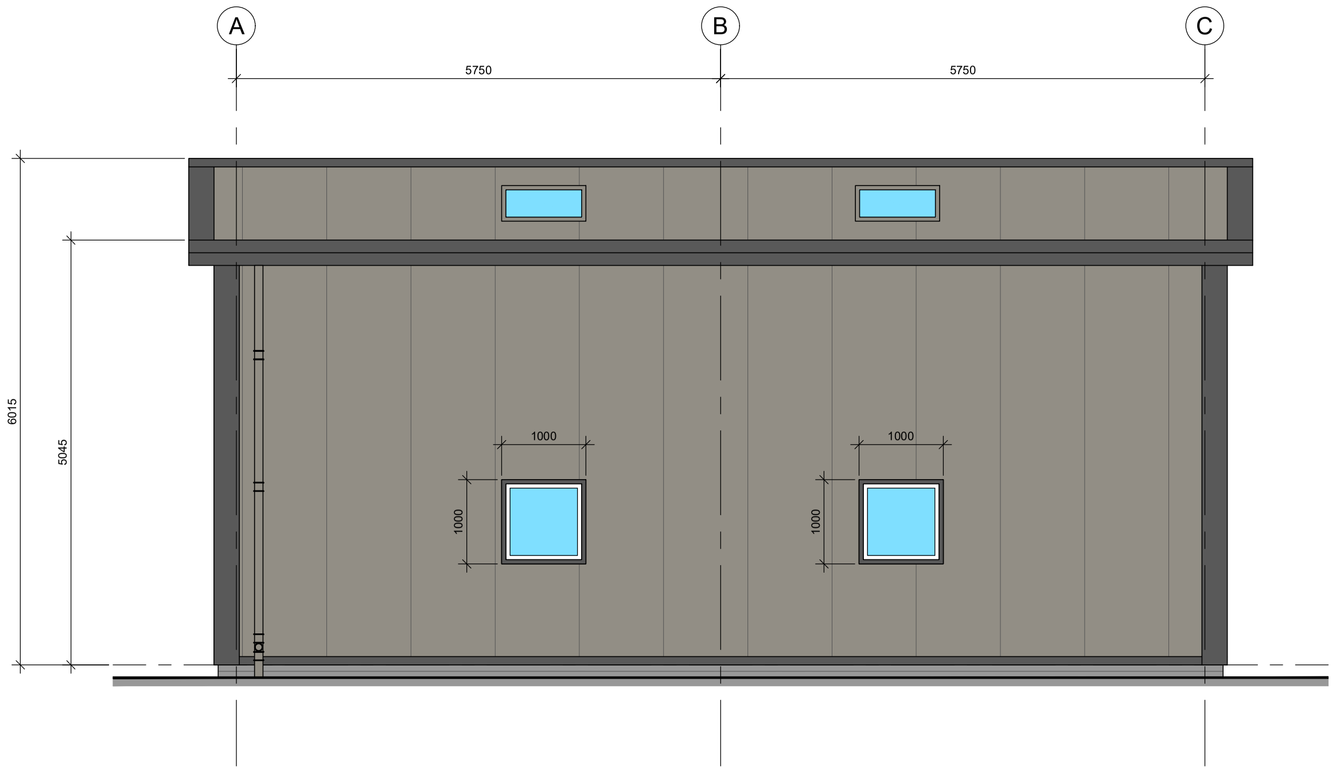
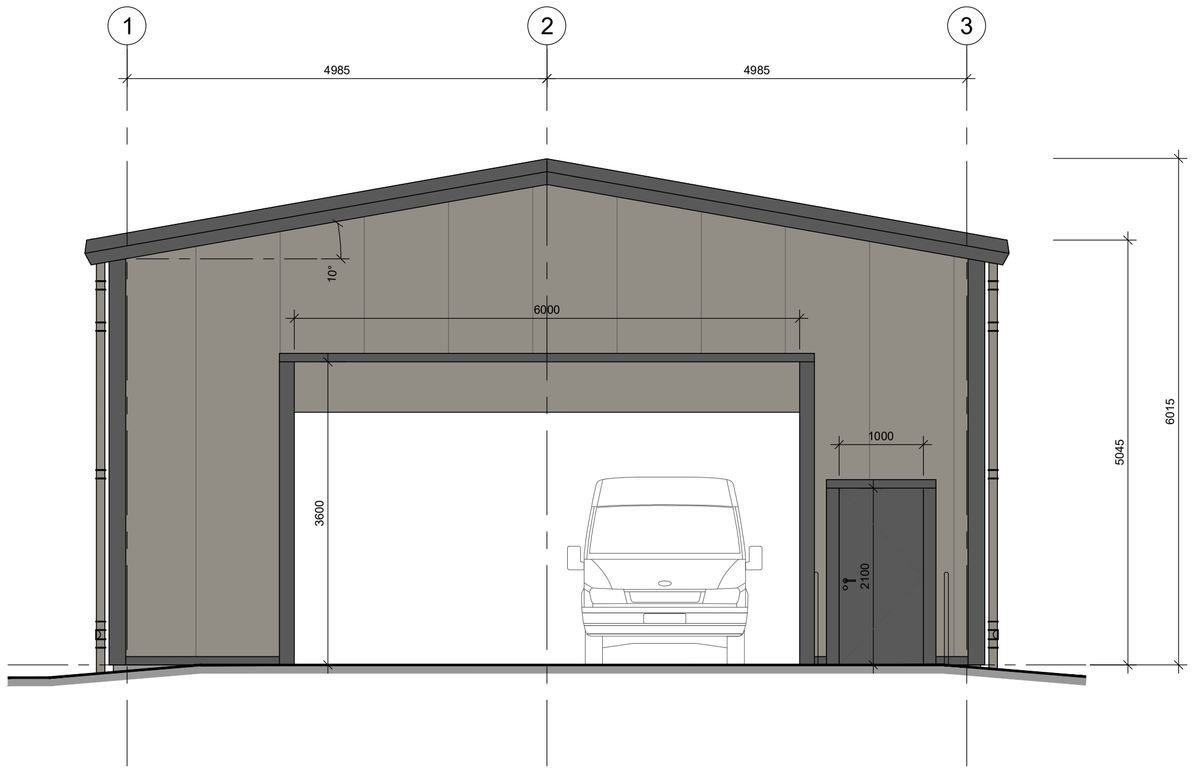
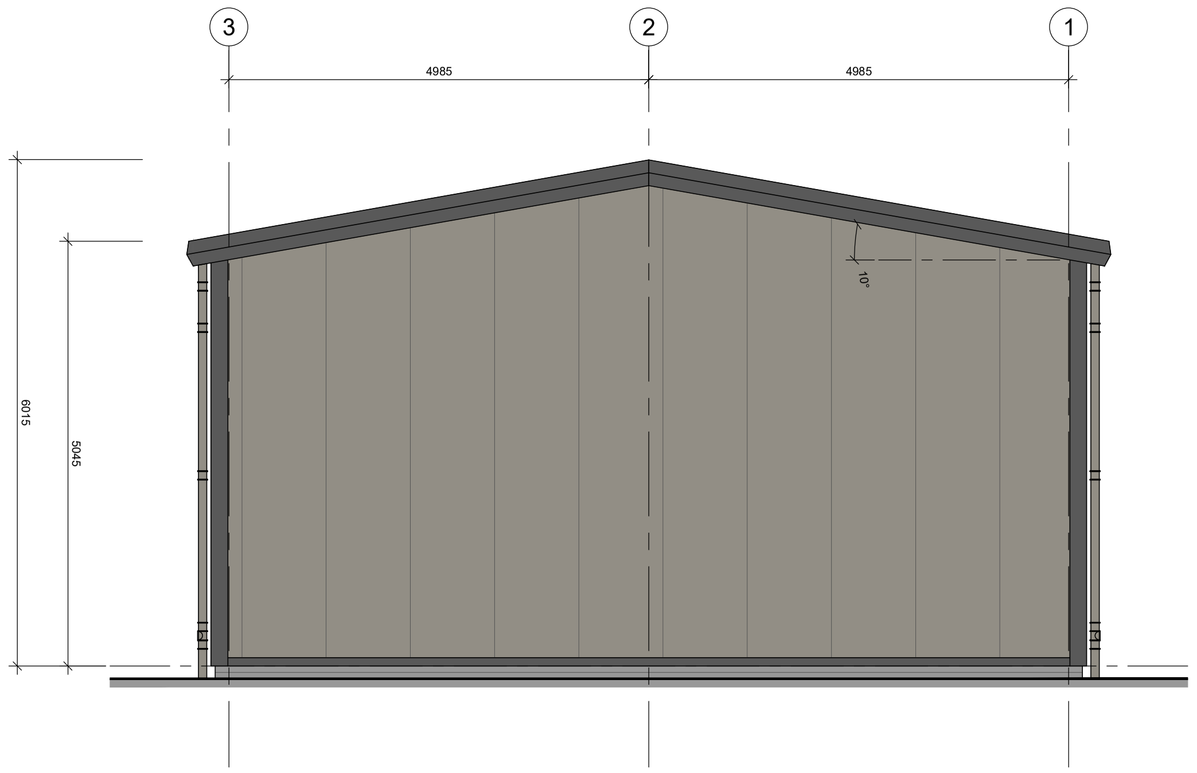
PLANNING



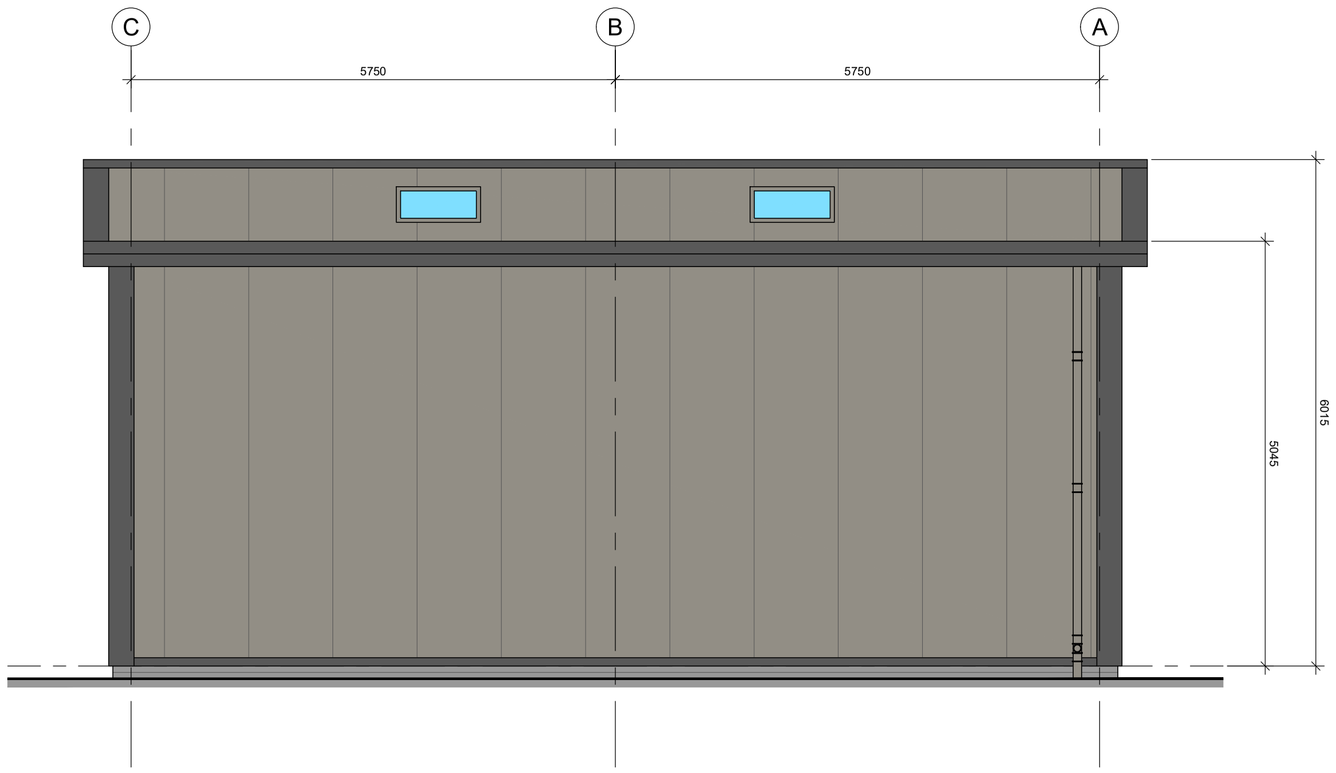
CAR PARK ELEVATION



FORSYTH STREET ELEVATION



GABLE ELEVATION



REAR ELEVATION

Rev.	Date	Remarks	By	Ch.
A	01.07.2020	Updated to suit Planning revisions to site plan.	BRL	-

Revisions

SREM

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0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
1200 SQFT STARTER UNIT
ELEVATIONS

Scale	Date	Drawn by	Checked by
1:50	06.03.2020	BRL	VM

Drawing no. L-205

Rev A

A1

Important notes for clients / contractors
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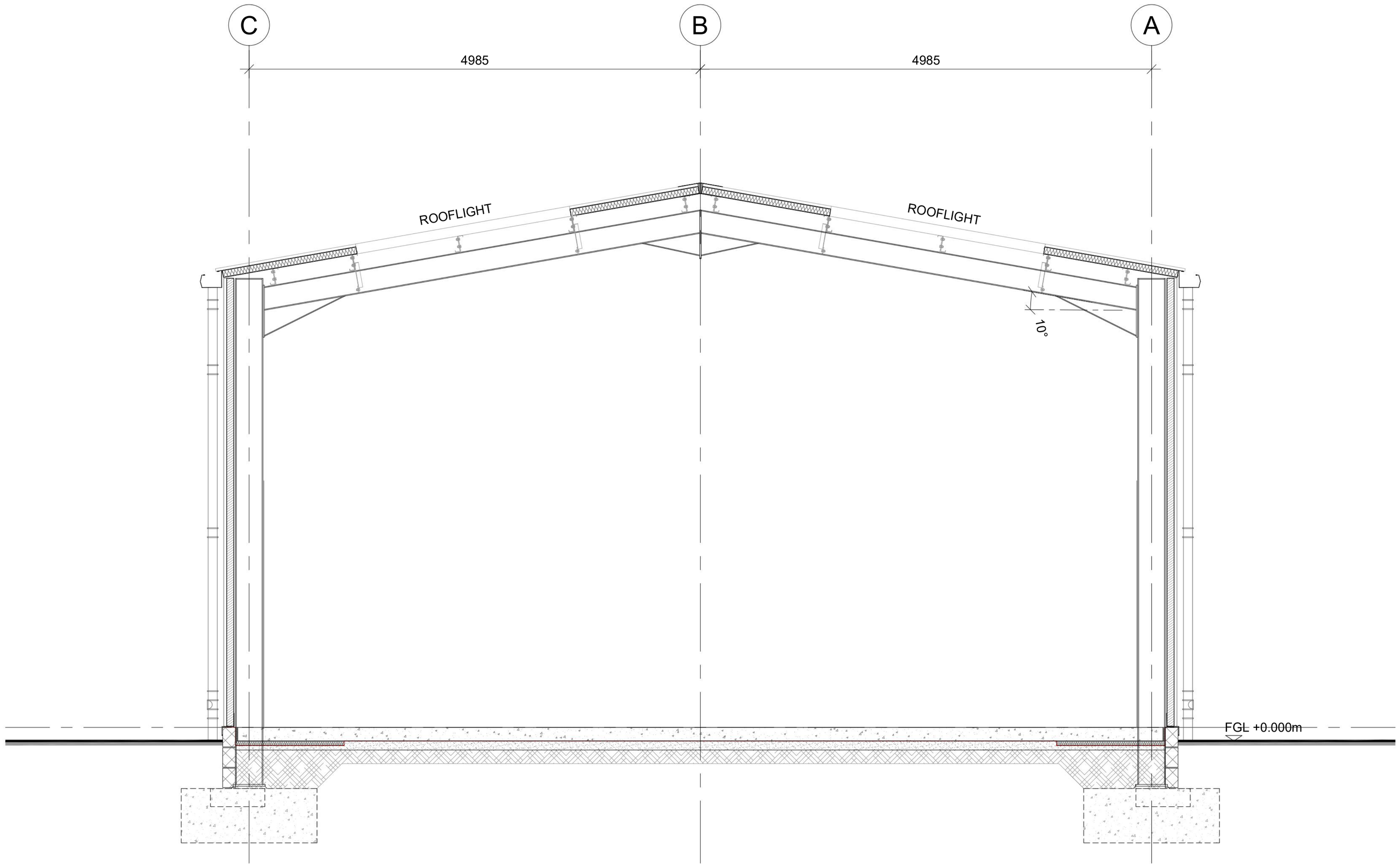
PLANNING



SECTION A-A

Rev.	Date	Remarks	By	Ch.
A	01.07.2020	Updated to suit Planning revisions to site plan.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
1200 SQFT STARTER UNIT
SECTION A-A
-

Scale	Date	Drawn by	Checked by
1:50	06.03.2020	BRL	VM

Drawing no. L-206

Rev A

A1

Important notes for clients / contractors
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PLANNING

UNHEATED UNIT CONSTRUCTION SPECIFICATION:

ROOF

1. 10° ROOF PITCH
2. ROOF CLADDING TO BE 'KINGSPAN KS1000RW' 80mm THICK COMPOSITE INSULATED ROOF PANELS OR EQUAL & APPROVED.
3. ROOF CLADDING COLOUR TO BE BS10A05 GOOSE WING GREY.
4. ROOF TRIMS AND FLASHINGS TO BE RAL 7024 GRAPHITE GREY.
5. ROOF TO INCORPORATE ROOF LIGHTS. REFER TO PLANS FOR LOCATIONS.

EXTERNAL WALLS

1. WALL CLADDING TO BE 80mm THICK 'KINGSPAN KS1000RW A-30' OR EQUAL & APPROVED COMPOSITE WALL PANELS.
2. WALL CLADDING COLOUR TO BE BS10A05 GOOSE WING GREY.
3. WALL TRIMS AND FLASHINGS TO BE RAL 7024 GRAPHITE GREY.
4. 140mm THICK BLOCKWORK BASECOURSE SET ON CONCRETE STRIP FOUNDATIONS - ALL AS PER THE STRUCTURAL ENGINEERS REQUIREMENTS.

PERSONNEL / FIRE ESCAPE DOORS

1. 1050 x 2110mm HIGH STRUCTURAL OPENING.
2. DOORS TO BE RAL 7024 GRAPHITE GREY.
3. ALL TRIMS AND FLASHINGS TO BE RAL 7024 GRAPHITE GREY.

INSULATED SECTIONAL OVERHEAD DOORS

1. 3500 x 3700mm HIGH STRUCTURAL OPENING.
2. ALL SECTIONAL DOORS TO BE BS10A05 GOOSE WING GREY.
3. ALL SECTIONAL DOOR TRIMS AND FLASHINGS TO BE RAL 7024 GRAPHITE GREY.

DRAINAGE

1. DRAINAGE SYSTEM DESIGN TO THE STRUCTURAL ENGINEERS DESIGN & SPECIFICATION.
2. DRAINAGE TO THE SATISFACTION OF THE LOCAL AUTHORITY AND SEPA.
3. ALL SURFACE WATER PIPE WORK TO DISCHARGE INTO SITE DRAINAGE AS PER THE DRAINAGE ENGINEERS DESIGN.
4. ALL FOUL WATER TO DISCHARGE INTO FOUL WATER DRAINAGE SYSTEM AS PER THE DRAINAGE ENGINEERS DESIGN.

PAVEMENT CONSTRUCTION

1. PAVEMENTS ARE TO BE FORMED IN TARMAC.
2. PAVEMENTS ARE TO BE GRADED UP LOCALLY AT EXTERNAL MAIN ENTRANCE DOORS AND ALL FIRE EXIT DOORS TO PROVIDE LEVEL ACCESS.
3. MAXIMUM SLOPE TO BE 1:20 (i.e. 150mm RISE OVER 6000mm HORIZONTALLY).
4. 1500x1500mm LEVEL ENTRANCE PLATT TO BE PROVIDED TO ALL ENTRANCE DOORS WITH MAXIMUM CROSS FALLS OF 1:50 TO PREVENT WATER FROM PONDING.

ROAD AND CAR PARK CONSTRUCTION

1. ROADS ARE TO BE FORMED IN TARMAC AND LAID TO FALL TO SUIT THE DRAINAGE GULLY LOCATIONS.
2. PARKING AREAS ARE TO BE FORMED IN CONCRETE TO THE STRUCTURAL ENGINEERS SPECIFICATION.
3. ALL NECESSARY PRE-CAST CONCRETE EDGE, DROP KERBS, FOUNDATIONS, ETC. ARE TO BE PROVIDED TO COMPLETE THE WORKS REQUIRED.
4. ALL WORKS TO BE CONSTRUCTED TO THE STRUCTURAL ENGINEERS SPECIFICATION AND DETAILS.
5. CAR PARKING BAYS TO BE SET OUT WITH WHITE THERMOPLASTIC LINE MARKINGS.
6. ACCESSIBLE PARKING BAYS ARE TO BE DESIGNED TO COMPLY WITH SECTION 4.1.1. OF THE BUILDING (SCOTLAND) REGULATIONS 2004.
7. MINIMUM 1 NO. ACCESSIBLE BAY PER 20 SPACES.
8. ACCESSIBLE BAYS MUST BE LOCATED WITHIN 45m OF THE MAIN ENTRANCE DOORS.
9. 5 NO. TUBULAR STAINLESS STEEL CYCLE RACKS TO BE PROVIDED.

EXTERNAL DOOR BARRIERS

1. ALL EXIT DOORS ARE TO BE PROVIDED WITH 1100mm HIGH x 760mm WIDE EXTERNAL GRADE 48mm DIAMETER STAINLESS STEEL TUBULAR BARRIERS WITH INSITU CONCRETE FOUNDATIONS.
2. BARRIERS TO PROVIDE CLEARANCE AROUND DOORS AND PREVENT VEHICLES PARKING AND BLOCKING ESCAPE ROUTES.
3. TO BE SUPPLIED BY 'LANGLEY DESIGN' MALFORD MDB200 (OR EQUAL & APPROVED).
4. BARRIERS ARE TO BE INSTALLED TO THE MANUFACTURERS SPECIFICATION AND DETAILS.

Rev.	Date	Remarks	By	Ch.
.	.	.	.	.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
1200 SQFT STARTER UNIT
SPECIFICATION NOTES
-

Scale	Date	Drawn by	Checked by
NTS	06.03.2020	BRL	VM

Drawing no. L-207

Rev -

A1

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PLANNING

LEGEND:

- EXISTING STONE WALL TO BE RETAINED.
- NEW TIMBER FENCING. HEIGHT: 1.8m.
- NEW PALADIN FENCING TO SERVICE YARD. HEIGHT 2.5m.

Rev.	Date	Remarks	By	Ch.
A	05.03.2021	Layout updated. Timber fence added to West boundary.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED BOUNDARY TREATMENTS

Scale	Date	Drawn by	Checked by
1:200	29.07.2020	BRL	VM

Drawing no.
L-006

Rev
A

From: Lisa MacDonald
Sent: Thu, 10 Dec 2020 08:35:31 +0000
To: Planning Consultation
Subject: FW: Hopeman 20/00474/APP

Please insert the email below as updated comments from dev plans on the above.

Thanks

Lisa

Lisa MacDonald MRTPI| Senior Planning Officer (Development Management) | Economic Growth & Development

lisa.macdonald@moray.gov.uk | website | facebook | twitter | newsdesk

01343 563479

Working Pattern: Tuesday - Friday

From: Rowena MacDougall
Sent: 09 December 2020 16:02
To: Lisa MacDonald
Subject: Hopeman 20/00747/APP

Dear Lisa

Thank you for forwarding the applicants response in respect of our previous comments on the retail statement provided. It is noted that the applicant has not provided any additional assessment to address the issues raised around the assumptions made and trade diversion. The lack of additional assessment means our position in respect of the application remains unchanged.

Policy DP7 part c) supports proposals for small shops which are primarily intended to serve the convenience needs of a local neighbourhood within a settlement boundary. Policy DP7 part c) does not require a sequential assessment of sites. However, the policy states that proposals may be required to demonstrate that they will not have an unacceptable adverse impact on the vitality and viability of the identified network of centres. Although Hopeman is not referred to in table 6 of “Retail Centres and Roles” in the plan, it is classed as a “smaller town and village” in the spatial strategy which is the same as the likes of Rothes and Dufftown which are local centres within table 6. Policy DP1 also requires applicants to provide impact assessments to determine the impact of proposals. Therefore, an assessment of the retail impacts is required to comply with

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	26th May 2020
Planning Authority Reference	20/00474/APP
Nature of Proposal (Description)	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Site	Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Site Postcode	N/A
Site Gazetteer UPRN	000133039156
Proposal Location Easting	314730
Proposal Location Northing	869268
Area of application site (M²)	6700
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=Q8GH1ZBGKYV00
Previous Application	16/01799/APP 95/00498/FUL 89/00952/ADV
Date of Consultation	12th May 2020
Is this a re-consultation of an existing application?	No
Applicant Name	SREM/ CO-OP
Applicant Organisation Name	
Applicant Address	4 Rutland Square Edinburgh GB EH1 2AS
Agent Name	Springfield Real Estate Management Ltd
Agent Organisation Name	
Agent Address	4 Rutland Square Edinburgh Scotland EH1 2AS
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479

Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.
For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Council Other Depts - Housing

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	X❑
(d)	Further information is required in order to consider the application as set out below	❑

Reason(s) for objection

Condition(s)

Policy H8 requires that 25% of the total number of units in new developments must be provided as affordable housing. As 8 housing units are proposed an affordable contribution of 2 units will be required.

In implementing the Affordable Housing Policy, Council's preference is for a minimum of 25% affordable housing units are provided on each site, using a housing mix of types and tenures determined by the Head of Housing and Property. However the SHIP states that "a commuted payment will be sought from developers where … the planning proposals would require multi tenure/multi use provision under one communal roof structure e.g. a block of flats or mixed residential/commercial buildings. These proposals can present an increased investment risk to affordable housing providers due to the potential complications of communal repairs and maintenance throughout the life of the building".

Therefore the affordable housing requirement should be provided in the form of a commuted payment in lieu of 2 units from this development, to be used in the provision of affordable housing elsewhere in the Elgin housing market area. The commuted payment must be formalised in a Section 75/Section 69 Agreement prior to issue of any detailed planning approval on the site.

Policy H9 is not applicable as the number of units proposed does not meet the current threshold of 10 units

Further comment(s) to be passed to applicant
Information on commuted payments is available on the Council's website at http://www.moray.gov.uk/moray_standard/page_94665.html

Further information required to consider the application

Contact:	**Fiona Geddes**	**Date:**	**12 May 2020**
email address:	**fiona.geddes@moray.gov.uk**	**Phone No:**	
Consultee:	**Housing and Property**		

Return response to	**consultation.planning@moray.gov.uk**

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://publicaccess.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

policy and the results are a material consideration in the determination of the application. The policy does not seek to restrict competition but looks to ensure proposals will not have an adverse impacts on the vitality and viability of town centres. Scottish Planning Policy paragraph 40 states that planning must direct development to the right place where development would have the most benefit for the amenity of local people and the vitality of the local economy.

A Retail Statement was requested to determine the impacts of the proposal on retail within the catchment. The statement prepared by the applicant is not sufficient to determine impacts. The retail statement is considered to be inadequate as

1. it is unrealistic to assume that 100% of the proposed stores turnover will be from leaked convenience expenditure. This is overly simplistic and does not reflect likely shopping habitats. It is unrealistic to expect shoppers to switch their entire weekly shop form Asda/Tesco in Elgin/Forres to a local Co-op store. It would be more appropriate to consider leaked expenditure for convenience top-up shopping.
2. the statement assumes no trade diversion from existing stores within the catchment. Given the proposed stores location and that this is being promoted as a small shop primarily to serve the day to day convenience of the local community this is an unrealistic and unreasonable assumption. Assessing the impacts of potential trade diversion is critical to considering the impacts.
3. the broad level of assessment and the unrealistic assumptions made mean that no meaningful quantitative or qualitative assessment of impacts can be made. The likely impacts of the proposal and compliance with policy DP1/DP7 have not been demonstrated.

The majority of existing shops in Hopeman are located on Harbour Street which given the size of Hopeman effectively acts as a High Street. Although there is no formal “town centre” designation, this street currently contains a number of small shops and business that cater for the convenience needs of the settlement. The Development Strategy/Placemaking Objectives stated for Hopeman within the Settlement Statement are “to safeguard the distinctive character of the village”. It should be noted this is not a generic statement applied to all settlements and has been applied specifically to Hopeman. It is therefore entirely reasonable to request that the impacts on Harbour Street and other retail within the catchment are properly assessed as any impacts could result in a change in Hopeman’s distinctive character. For example if footfall was reduced and significant trade was diverted from Harbour Street this could lead to shop closures which alter the mixed use character of the street and its historic function as a shopping street for local needs. The location of a large unit on the edge of the town away from Harbour Street on the opposite side of a busy road could potentially encourage visits by car that bypass existing local facilities. The proposed retail unit is also disconnected from existing local facilities making combined trips to other shops unlikely and therefore potentially diverting trade away from Harbour Street. The Retail Statement prepared does not adequately address trade diversion and has failed to demonstrate the likely impacts on existing businesses. The potential impacts on the

distinctive character of Hopeman and on the vitality of Hopeman have not been assessed.

In conclusion the applicant has failed to demonstrate that there will be no unacceptable adverse impacts on existing retail centres and the distinctive character and vitality of Hopeman. The proposal does not comply with Policy DP1 and DP7.

Our previous response raised other policy issues and the proposal is not supported for the following reasons:

- It introduces two non-conforming uses (retail and housing) on part of an existing business site (I1) contrary to LDP 2020 DP5 Part d) and the site designation;
- Non-conforming uses can only be considered where the redevelopment of the whole site is proposed. The application is for part of the I1 designation which is not acceptable;
- It would result in the loss of employment land and available sites for smaller businesses in the area to locate;
- The retail statement provided is insufficient and does not demonstrate that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements LDP 2020 Policy DP1/DP7;
- Hopeman has two designated housing sites and there is currently an application being considered on the R1 Manse Road site. There is also surplus effective housing land available in the wider Elgin HMA as identified in the HLA2020. There is no requirement for additional housing land to be provided in Hopeman.
- The design of the building is not acceptable for a prominent location on Forsyth Street and does not reflect the traditional settlement character in terms of siting and design. This fails to comply with DP1 and EP3, and the settlement statement of Hopeman which seeks to safeguard the distinctive character of the village; and
- Hopeman is located within a SLA and the proposal has failed to meet the requirements of policy EP3.

I you require any further comments please revert back to us.

Kind regards

Rowena

Rowena MacDougall | Planning Officer (Strategic Planning and Delivery) | Economic Growth and Development

Working pattern: Monday to Wednesday full day, Thursday and Friday finish 2.30

rowena.macdougall@moray.gov.uk | website | facebook | twitter | News page

From: DeveloperObligations
Sent: 26 May 2020 08:58:14 +0100
To: Lisa MacDonald
Cc: DC-General Enquiries
Subject: 20/00474/APP DRAFT Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman, Elgin
Attachments: 3EA26A22.pdf

Hi

Please find attached the draft developer obligations assessment that has been undertaken for the above planning application. A copy of the report has been sent to the applicant.

Thanks,
Rebecca

Rebecca Morrison| Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development
rebecca.morrison@moray.gov.uk | website | facebook | moray council planning facebook | twitter | newsdesk
01343 563583

Developer Obligations: ASSESSMENT REPORT

Date: 26/05/2020

Reference: 20/00474/APP

Description: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman, Elgin, IV30 5ST

Applicant: SREM/ CO-OP

Agent: Springfield Real Estate Management Ltd

This assessment has been carried out by Moray Council. This assessment is carried out in relation to policy IMP3 Developer Obligations of the Moray Local Development Plan 2015 (LDP) and associated Supplementary Guidance (SG) on Developer Obligations which was adopted on 1 March 2018.

The LDP and SG can be found at **http://www.moray.gov.uk/moray_standard/page_100443.html**

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	To be advised by Transportation Section
Healthcare *(Contribution towards extension at Moray Coast Medical Practice)*	[redacted]
Sports and Recreation	Nil
Total Developer Obligations	[redacted]

Breakdown of Calculation

Proposals are assessed on the basis of Standard Residential Unit Equivalents (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

8 x 2 bed = 6.4 SRUE

This assessment is therefore based on 6.4 SRUE.

Moray Council **DEVELOPER OBLIGATIONS**

MORAY COUNCIL
PLANNING CONSULTATION RESPONSE
From: The Moray Council, Flood Risk Management
Planning Application Ref. No: 20/00474/APP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	☐
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	☐
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	☒
(d)	Further information is required in order to consider the application as set out below	☐

Conditions(s)
During construction the area where the drainage pipe crosses the bund must be restored to a functional capacity following installation of the pipe.

Contact:	Leigh Moreton	Date	29/07/2020
email address:	Leigh.moreton@moray.gov.uk	Phone No	01343 563773

Consultee: The Moray Council, Flood Risk Management

INFRASTRUCTURE

Education

Primary Education

Pupils generated by this development are zoned to Hopeman Primary School. The school is currently operating at 56% functional capacity and the additional pupils as a result of this development can be accommodated. As a result, no mitigation is necessary.

Contribution towards Primary Education = Nil

Secondary Education

Pupils generated by this development are zoned to Lossiemouth High School. The school is currently operating at 66% capacity and the additional pupils as a result of this development can be accommodated. As a result, no mitigation is necessary.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Section to advise on developer obligations to be sought for this proposal.

Contributions towards Transport = To be advised by Transportation Section

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m^2.

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.17 persons -Census 2011).

Moray Coast Medical Practice is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Moray Coast Medical Practice is working beyond design capacity and existing space will be required to be extended.

Contributions are calculated based on a proportional contribution of [redacted] per SRUE.

[redacted]

Contribution towards Healthcare= [redacted]

Sports and Recreational Facilities

Sports and Recreation Facilities

Existing sports provision within Hopeman is considered to be adequate to serve the needs of the residents anticipated to be generated by this development. Therefore, in this instance, no contribution will be required.

Contribution for Sports and Recreation Facilities = Nil

TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations towards Moray Council infrastructure are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Access Manager

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	X
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	
(d)	Further information is required in order to consider the application as set out below	❑

Reason(s) for objection

Condition(s)

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Ian M Douglas

email address:ian.douglas@moray.gov.uk

Date14/05/2020……..

Phone No 7049……..

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	26th May 2020
Planning Authority Reference	20/00474/APP
Nature of Proposal (Description)	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Site	Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Site Postcode	N/A
Site Gazetteer UPRN	000133039156
Proposal Location Easting	314730
Proposal Location Northing	869268
Area of application site (M^2)	6700
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=Q8GH1ZBGKYV00
Previous Application	16/01799/APP 95/00498/FUL 89/00952/ADV
Date of Consultation	12th May 2020
Is this a re-consultation of an existing application?	No
Applicant Name	SREM/ CO-OP
Applicant Organisation Name	
Applicant Address	4 Rutland Square Edinburgh GB EH1 2AS
Agent Name	Springfield Real Estate Management Ltd
Agent Organisation Name	
Agent Address	4 Rutland Square Edinburgh Scotland EH1 2AS
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479

Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
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For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
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(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	x
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	❑
(d)	Further information is required in order to consider the application as set out below	❑

Reason(s) for objection

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Claire Herbert
email address:
archaeology@aberdeenshire.gov.uk
Consultee: Archaeology service

Date…19/05/2020…..
Phone No …01467 537717

Return response to	consultation.planning@moray.gov.uk

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Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	26th May 2020
Planning Authority Reference	20/00474/APP
Nature of Proposal (Description)	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
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Applicant Organisation Name	
Applicant Address	4 Rutland Square Edinburgh GB EH1 2AS
Agent Name	Springfield Real Estate Management Ltd
Agent Organisation Name	
Agent Address	4 Rutland Square Edinburgh Scotland EH1 2AS
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479

Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
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(d)	Further information is required in order to consider the application as set out below	❑

Reason(s) for objection

Condition(s)

20/00474/APP Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST.

This Section recommends approval subject to the following conditions

CONSTRUCTION
1. Construction works (including vehicle movements) associated with the development audible at any point on the boundary of any noise sensitive dwelling shall be permitted between 0800 - 1900 hours, Monday to Friday and 0800 - 1600 hours on Saturdays only, and at no other times out with these permitted hours (including National Holidays) shall construction works be undertaken except where previously agreed in writing with the Council, as Planning Authority and where so demonstrated that operational constraints require limited periods of construction works to be undertaken out with the permitted/stated hours of working.

RETAIL UNIT

1. Prior to the use commencing, a store noise management scheme for all vehicle deliveries shall be submitted and agreed in writing with the Planning Authority, in consultation with the Environmental Health Manager. The scheme shall have regard to, but not exclusively, the information provided on Noise Management Pan for deliveries in Section 8.13 of the Planning Noise Assessment document by Noise Solutions Ltd, Unit 5, Oriel Court, Omega Park, Alton, Revision 01 dated 22nd October 2020 and titled "Proposed mixed-use development Forsyth Street Hopeman IV30 5ST. Planning Noise Assessment. Project Reference 89408". The agreed scheme shall thereafter be implemented and maintained throughout the lifetime of the development.

2. Unless otherwise agreed with the Planning Authority, in consultation with the Environmental Health Manager, the air conditioning and refrigeration plant shall have noise emission limits equal to or better than the plant levels stated in Table 15 and section 7.4 of the Planning Noise Assessment document by Noise Solutions Ltd, Unit 5, Oriel Court, Omega Park, Alton, Revision 01 dated 22nd October 2020 and titled "Proposed mixed-use development Forsyth Street Hopeman IV30 5ST. Planning Noise Assessment. Project Reference 89408". Prior to the use being established details of the above air conditioning and refrigeration plant shall be provided and agreed in writing with the Planning Authority, in consultation with the Environmental health manager. The agreed plant shall thereafter be implemented and maintained throughout the lifetime of the development.

3. Noise from the development's air conditioning and refrigeration plant shall be controlled to ensure that Noise Rating Curve (NR) 25 is not being exceeded during daytime hours (07 00 to 23 00 hours) and NR 20 during night time hours (23:00 to 07:00 hours). These noise limits shall be determined in a living apartment during daytime hours and a bedroom during night hours with window moderately ajar for ventilation over a minimum measurement period of 5 minutes.

INDUSTRIAL UNIT

1. All operations at the light industrial starter unit development shall be carried out and permitted between 0800 - 1800, Monday to Friday and 0800 - 1300 Saturday, and at no other times without the prior written consent of the Council, as Planning Authority in consultation with the Environmental Health Manager.

2. The rating level of noise associated with plant and machinery at the light industrial starter unit development shall not exceed the background sound level by more than 5 dB (A) at the nearest noise sensitive dwelling. Measurement and assessment to demonstrate compliance with the rating level shall be undertaken in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. The background sound level shall be that as determined in Table 20. Assessment of predicted external noise levels (08.00 to 18.00 hours) of the Planning Noise Assessment document by Noise Solutions Ltd, Unit 5, Oriel Court, Omega Park, Alton, Revision 01 dated 22nd October 2020 and titled "Proposed mixed-use development Forsyth Street Hopeman IV30 5ST. Planning Noise Assessment. Project Reference 89408".

3. Development shall not begin on the light industrial starter unit until a scheme to protect existing residential development against noise from this unit has been submitted to and approved in writing by the Planning authority, in consultation with the Environmental Health Manager. The industrial unit shall not be brought into use until the measures in the approved noise prevention scheme have been completed.

RESIDENTIAL

1. The minimum sound insulation values for the glazing, trickle ventilators and brick/block cavity wall constructions proposed at the residential developments shall be in accordance with Table 13 Proposed building envelope specifications of the Planning Noise Assessment document by Noise Solutions Ltd, Unit 5, Oriel Court, Omega Park, Alton, Revision 01 dated 22nd October 2020 and titled "Proposed mixed-use development Forsyth Street Hopeman IV30 5ST. Planning Noise Assessment. Project Reference 89408".

INFORMATIVES

1. Any artificial light emissions from the development should not result in a statutory nuisance, as defined in the Environmental Protection Act 1990.
2. The food retail premises will require to comply with the Food Hygiene (Scotland) Regulations 2006.
3. The food retail proprietor will require to register the premises in terms of the Food Premises (Registration) Regulations 1991.
4. The food retail premises will require to comply with the Health and Safety at Work etc Act 1974 and the Workplace (Health, Safety and Welfare) Regulations 1992
5. The Environmental Health Section of Moray Council would be the enforcing authority in the food retail premises.

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: James Harris **Date: 27.05.2020**
email address: **Phone No ……..**
Consultee:

Return response to	**consultation.planning@moray.gov.uk**

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Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	26th May 2020
Planning Authority Reference	20/00474/APP
Nature of Proposal (Description)	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Site	Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Site Postcode	N/A
Site Gazetteer UPRN	000133039156
Proposal Location Easting	314730
Proposal Location Northing	869268
Area of application site (M²)	6700
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=Q8GH1ZBGKYV00
Previous Application	16/01799/APP 95/00498/FUL 89/00952/ADV
Date of Consultation	12th May 2020
Is this a re-consultation of an existing application?	No
Applicant Name	SREM/ CO-OP
Applicant Organisation Name	
Applicant Address	4 Rutland Square Edinburgh GB EH1 2AS
Agent Name	Springfield Real Estate Management Ltd
Agent Organisation Name	
Agent Address	4 Rutland Square Edinburgh Scotland EH1 2AS
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	26th May 2020
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Agent Name	Springfield Real Estate Management Ltd
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Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479

Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	X
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	❑
(d)	Further information is required in order to consider the application as set out below	❑

Preamble

This proposal is to demolish an existing vehicle service station and garage and the erection of a retail unit, light industrial/commercial unit and 2no blocks of residential flats (8 flats). The following response is based on Site Layout L003 Rev J.

Reason(s) for objection

- **Road Safety** - Proposals do not make adequate provision for site servicing, priority and safety of non-vehicular road users. Site access visibility, access to public transport and the proposed crossing locations raise potential road safety issues which are not adequately mitigated. **MLDP 2020 - PP3 a(iii, vi), DP1 ii(a, c)**
- **Servicing** – Site servicing provision and assessment is not acceptable. **MLDP 2020 – DP1 ii(a,c)**
- **Drainage** – Drainage details for the proposed service layby are not acceptable **MLDP 2020 - PP3 a(viii)**
- **Parking** – Parking space dimensions are less than the quantity of parking required is not provided in accordance with requirements of the current Planning Policy and Supplementary Guidance **MLDP 2020 - PP3 a(i), DP1 ii(a)**
- **EV Charging –** Insufficient details **MLDP 2020 - PP3 a(iv)**

Road Safety
A Stage 1/2 combined Road Safety Audit has been submitted for the proposed development. The Audit was conducted without input from the Roads Authority. The Audit identifies a number of issues and recommendations. The designers response submitted in support of the planning application has not been provided to the overseeing organisation for input prior to its submission. A number of the recommendations made by the auditor have not been addressed within the

revised proposals including:

3.3 - TMC have plans for a footway to the west of the site. Should discuss this with MC and co-ordinate with their proposals. – The applicant has not demonstrated how the safety issue would be mitigated.

3.6 - It is recommended that the parking bays are moved directly adjacent to the carriageway with the footway behind. It is also recommended the crossing be relocated slightly east to allow space for a reversing car to not encroach onto the crossing point. – The proposed mitigation was not provided as recommended. - Notwithstanding this Transportation consider the proposed parking arrangements unacceptable as it is likely to result in vehicles reversing into the road and moving the spaces closer to the adjacent boundary reduces visibility and auditor recommended mitigation to be unlikely to be acceptable due to other considerations in terms of footway provision and visibility. The safety issue has not been mitigated satisfactorily. If parking most take direct access form the B9040 Transportation officers consider a lay-by type arrangement to be the preferred option.

Visibility for vehicles exiting the Starter/Commercial unit direct access spaces onto the B9040 has not been demonstrated and Transportation consider it to be a potential safety issue due to the adjacent boundary wall and planting which is outwith the applicants control. The risk from vehicles reversing out across the footway and onto the B9040 in particular is considered to be a significant safety issue by Transportation.

The footway between the retail unit and the servicing/delivery lay-by varies in width and at some points is less than 2 metres wide. Taking into consideration this is a new frontage and will need to accommodate pedestrian movements and deliveries, officers consider that this footway width should not be less than an absolute minimum of 2 metres wide.

No assessment has been undertaken of the likely desire lines for pedestrians accessing the site from Hopeman to the north in terms of the optimum crossing location. Officers consider it unlikely that users arriving from Harbour Street would choose to take an indirect route making two road crossings to the east of the site access and are therefore likely to cross at the west end of the service/delivery bay. Visibility from and of this crossing point is considered to be an issue by Transportation. This issue also needs to be considered with the Road Safety Audit point 3.7 and proposals to address access to local westbound bus stops.

The proposals are considered unacceptable as road safety issues identified have not been addressed and the proposed mitigation is unacceptable

Servicing
Commercial/Retail development should provide all loading and other servicing to be carried out on site. Frontage layby servicing should only be considered acceptable where there is no other viable alternative. This site is of an adequate size that it could accommodate dedicated servicing for the retail unit within the site given a different site layout.

Refuse collection for the proposed flats will require vehicles to turn within a private car park and perform a reversing manoeuvre. The proposed carpark layout has approx. 6m wide aisles but the parking spaces provided are 200mm less than the minimum size at just 4.8m long instead of 5m. The swept path shows the refuse vehicle would have no margin for error turning within the car park without accounting for the undersized bays. There is a potential that parked vans or larger cars could result in a refuse vehicle not being able to turn within the space provided. In addition the Moray Council policy for refuse collection seeks to avoid wherever possible the need to reverse the vehicle to turn due to the inherent safety risks.

Large vehicles parking in the delivery/servicing layby either delivering or as customers could obscure visibility for vehicles exiting the car park which is potential a road safety issue. Whilst visibility splay plans 006 and 007 submitted in support of the application have been drawn to

illustrate 43m visibility from the centreline of traffic approaching from the west for vehicles parked in the service layby it does not show these vehicles parked at the east end of the layby which would significantly reduce their visibility, neither does it consider the positioning of a motorcyclists closer to the centreline of the road. The proposed relocated lighting column close to the access could also have an impact on visibility at close proximity to the junction.

The proposals are considered unacceptable due to the potential safety issues and insufficient provision to accommodate refuse collection vehicles.

Drainage
Drainage drawing 10045-C-201 Rev C submitted in support of the development contains no drainage proposals for the service lay-by. The Drainage Impact Report refers to drainage drawing 10045-C-201 Rev D which indicates a channel drain extending the full length of the service layby adjacent to the B9040. Neither of these proposed arrangements would be acceptable to address drainage of the service layby. Both drainage drawings indicate the need for a wayleave over 3rd party land to the south to connect to the existing swale and attenuation basin but no details are provided to indicate that the 3rd parties would agree to this in principle or otherwise.

The proposals are considered unacceptable based on the proposed drainage design which is likely to be a road safety and maintenance issue.

Parking and Electric Vehicle (EV) Charging
National Road Development Guidelines stated a preferred parking bay size of 5.5m x 2.9m should be used. Moray Council would be willing to accept minimum parking space dimensions of 5.0m x 2.5m. The current parking spaces proposed are 4.8m x 2.4m and therefore the proposals are unacceptable.

22 Retail parking spaces are required. Site Layout plan L003 Rev J states 22 spaces are provided but only 18 are shown (including EV charging spaces but excluding 2 disabled spaces which are additional to the requirement) – Shortfall = 4 spaces). 2 EV charging spaces required (2 EV space for retail shown but no details for the charger location or type are provided), The EV specification submitted (ROLEC BASICCHARGE:EV WCS has a maximum output of 7.2KW which does not meet the Rapid Charger minimum specification (22Kw-43Kw). Rapid charger type is required). 3 Disabled spaces required (2 shown. Shortfall = 1 space). 3 Cycle Stands shown (Minimum 3 required).

The retail servicing/loading layby is shown adjacent to the B9040. Servicing should be provided within the site wherever possible to avoid conflict and safety issues for footway users. The proposals would increase risks to road users as a result of obstructions to the access visibility during delivery times.

16 Residential parking spaces are required (plus 2 visitor spaces) 18 spaces shown. 8 EV charging points shown but charger specification details not provided. Secure cycle parking required. 2 x cycle stores shown but no details provided, cycle storage needs to be covered, secure and provide space for 1 cycle per flat.

4 spaces are shown for the proposed 1200 sqft unit. Given the limited information provided Transportation officers have reviewed the proposals against the current 2020 MLDP Parking standards and consider that similar to warehousing or non-food retail a minimum of 4 spaces would be required including 2 disabled spaces. (Shortfall = 1 disabled space). The parking shown takes access over the footway and is likely to result in vehicles driving in to spaces and reversing onto the road. The adjacent boundary features to the east will impact on visibility of pedestrians and traffic and the provision is not considered acceptable.

Servicing for this unit will be required but no details are provided. It would not be appropriate for servicing to take place from the B9040. No EV charging provision is indicated (Subject to the provision of Rapid EV charging required associated with the neighbouring Retail a minimum

provision for 1 Fast EV charging point would be accepted in lieu of a Rapid Charger here. (Shortfall = 1 Fast EV charging Space).

The proposals are therefore unacceptable due to the shortfall in parking, the provision of parking bays which do not meet the minimum size requirements, road safety issues with the proposed parking layout in terms of refuse collection vehicle turning and use of and visibility issues for parking accessed over the footway from the B9040.

Additional Comments

The applicant has suggested that the shared use of the retail and residential parking would make a shortfall in the individual provisions acceptable. The Transportation Service accept where uses are compatible that can be the case however in this instance the peak periods of use are likely to overlap and that arrangement would not be considered acceptable.

Contact: JEK **Date……12/03/21……..**
email: transport.develop@moray.gov.uk **Phone No ……..**
Consultee: Transportation

Return response to	**consultation.planning@moray.gov.uk**

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Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	❑
(d)	Further information is required in order to consider the application as set out below	❑

Reason(s) for objection

Condition(s)

The site is a former petrol filling station.

Condition

Unless otherwise agreed in writing, no development shall commence until a strategy to assess and then, where subsequently appropriate, a strategy to deal with potential contamination on the site have been submitted to, and accepted in writing by, the Council as Planning Authority. The strategies shall be devised and overseen by an appropriately qualified person in accordance with relevant up-to-date authoritative technical guidance, e.g. BS10175 'The Investigation of Potentially Contaminated Sites - Code of Practice', and shall include:

i) an appropriate level of characterisation of the type, nature and extent of contamination on the site and accompanying risk assessment as described in Planning Advice Note 33 Development of Contaminated Land (Revised 2000);
ii) how any identified contamination will be dealt with during construction works;
iii) details of remedial measures required to treat, remove or otherwise mitigate contamination to ensure that the site is suitable for the proposed use, and that it does not represent a risk to health or of pollution in the wider environment; and
iv) a means of verifying the condition of the site on completion of the remedial measures.

Thereafter, no development shall commence (other than those works required to investigate and remediate contamination on the site) until written confirmation has been issued by the Council as Planning Authority that the works have been implemented and completed in accordance with the agreed details.

Reason
To ensure that the site is suitable for the proposed use, and that risks to the wider environment and to users of neighbouring land from on-site contamination are appropriately assessed and managed.

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Adrian Muscutt **Date 19 May 2020**
email address: **Phone No ……..**
Consultee:

Return response to	**consultation.planning@moray.gov.uk**

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://publicaccess.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Sunday, 18 July 2021

Local Planner
High Street

Elgin
IV30 1BX

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Hopeman Service Station, Forsyth Street, Elgin, IV30 5ST
PLANNING REF: 20/00474/APP
OUR REF: DSCAS-0012541-V9Z
PROPOSAL: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- There is currently sufficient capacity in the GLENLATTERACH Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- There is currently sufficient capacity for a foul only connection in the MORAY WEST Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Lack of landscaping
- Litter
- Over-development of site
- Poor design
- Precedent
- Road access
- Road safety
- Traffic

Comment:There is no need for a co-op in the village, the existing shops and stores are more than sufficient for the village.

This seems to be the first step in Springfields long opposed development of Hopeman. What purpose does a co-op have when we have Costcutter and the Post Office already in the village.

I strongly object to any further development tothe coast between Findhorn and Buckie. Also Springfield are using this to get the infrastructure to over develop the area. Enough is enough. The flats are not needed in Hopeman either, Tullochs are already building at the east end of the village with an affordable housing inclusion. The coast is a nautral heritge and historic gem. Leave it alone.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Noise
- Over-development of site
- Road safety
- Traffic
- View affected

Comment:With tulloch of cumminston building 70 plus houses in the village we do not need anymore, the beauty of the village will be taken away. We have two shops already which serve the needs of the people. The noise pollution will be bad for the environment, the main road will become to dangerous, it's already dangerous with more traffic demands because of the other houses being built. The beauty of the countryside we have there will be taken away to leave a beautiful village made into a concrete jungle. Holiday makers will not want to come to a place that is so built up making another village suffer because of the greed of spring field Wanting to build for there own pocket. If you give planning permission hoPEman will be destroyed and stripped from its history what it's known for, keep hopeman safe and leave it along. No more noise, no more pollution and no more houses needed. Thank you

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site

Comment:I strenuously object to the retail part of the plans. If a chain shop like a co-op were to move in, it will destroy our existing local, family run shops and butcher.

I hate the look of the new housing that has been built further along Forsyth st. The houses do not fit in with the village! More housing of similar look, destroys the look of the village!

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Over-development of site
- Road access
- Road safety

Comment:We do not need another shop, there are already 2 shops in the village, plus a shop that a sells co-op products.

Also being very close to the main junction into the village and opposite a bus stop would cause major problems.

This would be over developing of the village and the amenities would not cope with the influx of home owners

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Community Council/Association Consult
- Contrary to Local Plan
- Drainage
- Noise
- Parking
- Precedent
- Road access
- Road safety
- Traffic

Comment:This development is unwarranted, not needed and will be an eye sore. I take it that Sandy Adam also intends to fill the whole of the

Greenfield areas of our beautiful village with wee modern boxes!?

We dont either want them or need them!

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Inadequate plans
- Litter
- Precedent
- Road access
- Road safety
- Traffic

Comment:This development by Springfield is yet again poorly considered in regards the community of Hopeman. Traffic on Forsyth Street is already busy and nothing has been put in place to help with slowing down regular speeding traffic. It will not only be vehicular traffic if there is to be a retail/food outlet but pedestrian too. Road safety would be compromised. The access is at a very busy junction which would cause problems.

The village had two very good and well supported stores and any retail establishment would be detrimental to those businesses.

The natural environment would continue to be eroded as it has been with recent development just a few hundred yards to the West.

Retail units cause litter and people often loiter around these.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan

Comment:We don't need another shop in Hopeman. We are quite happy with the number we have.

I'm sure Mr Adam wants to destroy Hopeman. That area is only there in his determination to build his 600 homes. Let's hope he doesn't bypass the council again and put money in the SNP pocket and gets what he wants.

Shocking.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Petition

Stance: Customer objects to the Planning Application

Comment Reasons:

- Road safety

Comment:Hopeman has a few small businesses & this would decimate them. We do not need this in our beautiful village!!

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic
- View affected

Comment:Why can't people leave these beautiful Seatowns as they are, the small pockets of communities is what makes these places so picturesque. The reason people come to visit the highlands is to visit places like this, to escape the madness of city life. If we continue to expand these areas people will stop visiting impacting on the local businesses.

It's not all about money, quality of life means so much more, which has become more apparent whilst living in the situation we're currently in.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Community Council/Association Consult
- Contrary to Local Plan
- Drainage
- Road safety

Comment:This development is contrary to local development and would be detrimental to the community of Hopeman. This planner seems he'll bent on trying to turn Hopeman into a small town and destroy the whole ethos of our village community

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

N[redacted]

A[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I have only lived in Hopeman for over a year but lived in Moray 14 years ago for 12 years, it is a beautiful part of the country to live in (albeit much busier than it was 14 years ago) Hopeman, like all the coastal towns and villages is getting busier and busier and the roads are already not coping with the increased amount of traffic, especially in the summer months. To build a retail outlet on Forsyth Street and therefore increasing traffic close to an already busy junction seems once again that the people making the decisions don't live there and have to endure the increase in traffic which undoubtedly will occur, unless of course everyone in Hopeman were to boycott the retail outlet as we will continue to support the shops already in the village. Perhaps it is all down to money!

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Drainage
- Litter
- Noise
- Over-development of site
- Traffic
- View affected

Comment:Having lived in Hopeman for most of my life (30years!) until last year when we moved, I feel Hopeman does not need more houses/flats, more development and certainly not more shops. Despite how much I would love to move back, I do not want to see it change, as planned, we are happy to wait for a house to become available that is suitable for us to buy than buy a new one for that to happen. Hopeman is a lovely quiet village and does not need to be increased in size for any reason. I hope these plans do not accepted!

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment:This would totally destroy our community . No thanks Springfield

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site
- Poor design
- Road access
- Traffic

Comment:Genuinely saddened to see this. Springfield houses have already destroyed the whole essence of village life. Building more will be a disaster. The main road which runs through Hopeman gets very congested. These houses will contribute to that. The Springfield design does not fit in with the village style. A real eye sore.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Litter
- Noise
- Road safety
- Traffic

Comment:My objection is to the retail unit which appears to be for a Co op. This will have a devistating effect on the local business in Hopeman ie the Costcutter, Hopeman Stores and Post Office and Reid's butchers. These businesses have been part of our community for many years, supporting the people of our village. They have been, and continue to be magnificent in their help and support during the current Corona virus crisis. To have a major player potentially take away their business would be an insult. I would not use this retail outlet as I will continue to support and use the businesses of Hopeman as a thank you for their tremendous current hard work.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Road safety
- Traffic

Comment:Small village with a busy main road plenty traffic using it with a shop on it

The shops on harbour street struggle as it is without more

Please leave it as it is

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Noise

Comment:Hopeman does not need anymore shops thanks. Or housing at the moment. Too many developments too soon.

This will ruin our village and the majority of Hopeman you will find have the same view.

No, no, no.

Comments for Planning Application 20/00474/APP

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Road access
- Road safety
- Traffic

Comment:Hopeman does not need this and especially a Coop

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Over-development of site

Comment:Hopeman has no need for a retail shop, or more housing development. It is a small coastal village which is gradually loosing its identity.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Over-development of site
- Road safety
- Traffic
- View affected

Comment:Hopeman is a small community already over developed. A co-op would take business away from local shops that have served us for the past 30+ years unnecessarily. It's a busy road and wouldn't be safe if children moved in there. People are losing their jobs and facing losing their homes as a result of the current situation. Do we really need to put up expensive flats that no one can afford?

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Noise
- Over-development of site
- Road safety
- Traffic

Comment:I object strongly to this development due to the negative and damaging impact it will have to the village, community and immediate area.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Parking
- Road safety
- Traffic

Comment:Why do we need to over load Hopeman with more houses/people, we have adequate retail premises in village . As for more residential units we already struggle in village with cars, lorries etc, but the worst thing is surely the new houses already built would have gone down better in villiage if they had been allocated to local people instead of putting them out of where they have lived since birth !

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Loss of privacy (being overlooked)

Comment:Hopeman is not needing a shop or more housing. I moved up from [redacted] to avoid all that development nonsense.

Please refuse this application. Rich developers can make their millions elsewhere.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Precedent

Comment:This will affect negatively the local shops as well as the tranquility of this beautiful village. The village is served well by two shops and a butcher so a fourth is not needed.

Comments for Planning Application 20/00474/APP

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site
- Road access
- Road safety
- Traffic

Comment:Not required in village, will have a detrimental effect on local businesses already in the village. Too close to main junction in the village. Potential for other developers to use as a precedent to apply for other development in the village.

Comments for Planning Application 20/00474/APP

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Over-development of site

Comment:Not required in Hopeman

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Over-development of site
- Precedent
- Road access
- Road safety
- Traffic

Comment:This proposed development will add another dangerous access onto Forsyth Street which is already made increasingly dangerous by the adding of another unnecessary development beside the bowling green. Adding more properties will add more stress to the already overloaded drainage of the village.

More retail units are not required in the village. We already have a wonderful butcher, pharmacy, local convenience store and post office, hotel and pub.

The essence of Hopeman is that it IS a village. If it keeps being added to it will no longer be such but turn into a a satellite town of Lossiemouth and Elgin.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Road access
- Road safety
- Traffic

Comment:Adding another entrance road onto Forsyth Street will add to the already dangerous precedent set by the road coming from the new building in progress beside the Hopeman Bowling Green. As Forsyth Street is a through Road from Lossiemouth to Cummingston and Burghead it is already unsafe as as cars ignore speed limit whilst driving through. This will be made worse by cars suddenly appearing from roads on the opposite of the village and can potentially increase risk of car and pedestrian accidents.

There already have been problems with drainage and another set of housing/retail will add to this. Another retail shop and ? Small industrial unit is NOT required. Hopeman has a superb pharmacy, convenience store, post office, butcher and hairdressers and it would be appalling if their share of village customer would be diminished by other shops etc.

People love and our proud to live in our village of Hopeman. Continuing to build in it will stop it being a village and destroy that by turning it into a satellite town of Lossiemouth and Elgin.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Litter
- Noise
- Parking
- Road access
- Road safety
- Traffic

Comment:This will be so bad for Hopeman!

Myself and the people of Hopeman are very happy with the shops that we already have, they have all served us very well and gone above and beyond during our hard times!

We fully support our own local shops and do not need a CO OP it's not needed in our beautiful village,and very much not wanted!!!!

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Precedent
- Road access
- Traffic

Comment:Another attempt by Springfield to undermine the wishes of the Community in the search of profit for themselves and the self appointed ILaird MR Dean Anderson.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Over-development of site
- Precedent

Comment:Very sad to see there is a continued desire to over develop Hopeman. Some housing has already gone through and work has been started. Provision of a retail unit in Hopeman is not needed current retail is more than sufficient for the size of the village. The present national emergency has seen the local shops provide an outstanding service to the village. A larger retail unit would probably see their business close, why do we need this?? I believe developers will not be content until the South side of the village is developed. Let's do the right thing and keep the village as a village and not see it turned into a a metropolis with a North South divide.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan

Comment:Hopeman is a lovely small village. Already being expanded to the south with out more flats and a commericial shop unit being added to it. We are fine just the way we are without more development. Please dont spoil this village.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Permitted Development
- Traffic

Comment:Object to the plans of this development

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment:I feel that another retail outlet like this is not needed in a village like Hopeman.The village shops are all excellent and supply most of the needs of the village as well ad acting as something of a social hub. I feel that a co-op eould duplicate the excellent service which shops such as Costcutters, the post office, the butchers, the pharmacy are providing and would affect the profitability of these shops as well as being to the detriment of the character of a lovely village.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Litter
- Noise
- Road safety
- Traffic

Comment:During this virus our local small community shops have been amazing, taking orders over the phone and delivering. They have gone above and beyond to serve the community. WE DO NOT NEED A COOP! We have a super community spirit that has reignited with the current climate. There is no requirement or need for another food shop, it is purely FAT cats trying to line their own pockets by ruining our local communities. It's a NO from me.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Community Council/Association Consult
- Contrary to Local Plan
- Drainage
- Dust
- Lack of landscaping
- Legal issues
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Road access
- Road safety
- Smell
- Traffic

Comment:The people of Hopeman don't need this and don't want changes to our village.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Parking
- Precedent
- Road access
- Road safety

Comment:Thank you for the opportunity to respond to the planning application.
I object to all parts of the plan.
Precedent. Hopeman village is already a self sufficient community with adequate and comprehensive shopping opportunities within the village. We have a chemist, a butcher, two general stores-one with integral Post Office, an ice cream shop, a cafe, a fish and chip shop and a gift/art shop. The shops and the village support each other as has been apparent in this time of crisis with Covid 19 with local business delivering locally. The intrusion of a large retail unit within the village would distort local economics and would be likely to lead to established local business failure. The village has sufficient shops for its purchasing power. Plans, already submitted by Springfield, to massively increase the size of the village have not received planning permission and have been rejected. There is therefore no requirement for additional shopping volume. It would be improper for the council to set a precedent by allowing a new, purpose built store, to destabilise a small village economy. There is no shortage of large shops locally easily accessible by car and on public transport routes with at least three Co-Ops, two Tescos, an Aldi and a Lidl in addition to other outlets.

Drainage: The site itself is said in the application to be free from flood risk. This cannot be said for the village. In my memory sand bags have had to be deployed in the village down Harbour Street

on two occasions and I have seen water inches deep cascading down Harbour Street the entrance of which is only feet from the proposed development site. There may be new major waste water links between Hopeman and Lossiemouth. There has not however been upgrading of the waste water pipes in the village which may be overcome by increased water run off from the large pavemented area and built up area in the plans proposed.

Parking/Road Safety. The development is almost opposite the turn from the main road to Harbour Street. This junction between Forsyth Street and Harbour Street is a busy junction from a moderate sized road to a fairly narrow street which has to accommodate very large vehicles such as delivery trucks. The junction also has limited visibility. The proposed plan includes parking but overflow of parking onto the street would seem likely. This may have the effect of reducing road width to passing vehicle traffic and obscuring visibility at the Forsyth Street Harbour Street junction with increased risk of accident involving vehicles or vehicles and pedestrians. This in my view is an unacceptable risk.

Permitted development. The local plan does not involve substantial development of the village to the south of Forsyth Street. The proposal should therefore be rejected.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site

Comment:Hopeman is at risk of becoming over developed and a new retail shop that is in direct competition to local businesses is not required.

The amount of homes to be built I feel is too much given the current Springfield development and Tulloch homes application of 75 homes.

Seems Springfield homes are trying gor a monopoly in Hopeman.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment:Hopeman is a small village and we want it to stay that way. We have 2 shops already we do not need a co op.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Traffic

Comment:The retail development will negatively affect existing local businesses and destroy the character of the local area/community. Hopeman already has two village stores, a butcher, a pharmacy, a cafe and a number take away outlets - this development, if allowed to go ahead, will directly compete on an unfair scale with these existing local businesses. Inevitably, local businesses will not survive and the character of the village will be changed for the worse.

The Moray Local Development Plan promises "To safeguard the distinctive character of the village" and this proposal threatens that

Additional housing and retail premises will increase traffic in and around the village.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Drainage
- Litter
- Parking
- Road access
- Road safety
- Traffic

Comment:Whilst I acknowledge that the Filling Station Site is currently unsightly, I believe that the building of residential units on Forsyth Street wiill further exacerbate the traffic situation on this narrow road. It is currently unsafe to drive along this road at times as it is only wide enough for two vehicles and, should one decide to park on the road, this makes it extremely difficult to transit through the village.

The village currently has two perfectly acceptable retail outlets for the current population of the village which would suffer inordinately should this new retail unit be installed in such a place, it would attract custom from outside the village which would further exacerbate the traffic situation within the village.

Springfield has already increased the traffic problem within the village with their development on Forsyth Street and this further development would increase the problems the village has with both road infrastructure, drainage, amenities and public support for inhabitants.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Noise
- Road access
- Road safety
- Traffic

Comment:Whilst I accept that the site is dilapidated and in need of correction I feel that to undertake the development as listed would greatly affect the Hopeman commercial fabric, and cause further congestion on the B9040 than currently..

I have no objection to the Housing, nor to the industrial unit, I object to the imposition of a retail unit when the village is amply supplied with retail units which have supported the village, not only through the recent pandemic lockdown, but for many years.

The creation of a retail unit on Forsyth street will remove custom from the current stores and will change the nature of the village, which does not need another retail unit.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Drainage
- Litter
- Over-development of site
- Parking
- Traffic

Comment:Hopeman does not need another shop. We have sufficient already within the village to meet the needs of the local community. Along with the amount of traffic trying to access the shop off the main road through the village will, in my opinion, create an unnecessary risk of accident and creat a risk to kids being dropped off by the school buses at the bus stop next to the site.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Noise
- Over-development of site
- Precedent
- Road safety
- Traffic

Comment:I OBJECT to Planning Application Reference 20/00474/APP. Hopeman village does not need a supermarket. Already there are two general stores in the village (Costcutter and Premier/Post Office) as well as a butcher (Wm Reid), an ice-cream maker (Stew 'n' Drew's), a florist (Harbour Blooms) and a chemist (Duthie). These are vibrant small businesses which individually and working together provide excellent products and services to the people of Hopeman, the wider locality and visitors. There are supermarkets in Lossiemouth (a Co-op), Elgin (several) and Forres (several); it's difficult to understand, therefore, why a Co-op supermarket (or any supermarket) is thought to be needed in Hopeman. One wonders on what basis Springfield/Co-op identified local demand for a supermarket? What is the evidence for this? It would be disingenuous to argue that Hopeman and the surrounding area would somehow benefit from the competitive forces of introducing a supermarket to the locality. Inevitably, the effect of a supermarket on the locality would be simply to displace up to six long-standing, privately-owned family businesses. What is the benefit of that to the community? There has been no community pressure for a supermarket to be developed in the village of Hopeman. Such a development would be inconsistent with Hopeman functioning as a sustainable community.

The site itself is not reflected in the Local Development Plan as earmarked for either residential or commercial development, still less both types of development on one site. Therefore, on what grounds has the Planning Application been lodged in terms of a deviation to the Local Plan? Has the developer conducted and submitted a Flood Risk Assessment and a Drainage Impact Assessment given the history of flooding along Forsyth Street and down Harbour Street? Indeed, in the past I have had to sandbag my own home on Harbour Street as water flooded down it towards the Harbour. Has the developer conducted a Noise Impact Assessment given the nature of the proposed development. According to the Local Plan at designated Existing Business Area (EBA) Site I1, these assessments would be required. Furthermore, Local Plan Policy DP5 states that in terms of an EBA like Site I1, 'established business uses will be protected from non-conforming uses, eg housing'. On what grounds, therefore, has Springfield seen fit to propose a supermarket and housing development on what is primarily an area identified as having the characteristics of an EBA?

Hopeman is a designated Special Landscape Area (SLA). Any development should, 'reflect the special qualities of the SLA designation'. A supermarket is inimical to the special qualities of the SLA designation. Any development should 'safeguard the distinctive character of the village'. A supermarket is inimical to the character of the village. Any development should, 'protect the special qualities of the ... surrounding landscape'. A supermarket is inimical to the surrounding landscape.

In summary, the Planning Application is at odds with a significant number of Local Development Plan policies and objectives without justifying why a deviation to the Local Plan should be considered, still less permitted. The proposed development would, in my opinion, sooner or later destroy up to six village businesses. The owners of those local business provide services and value to the local community which are not immediately apparent and go above and beyond the provision of retail goods and services. The support to the local community by the owners of these village businesses during the Covid-19 pandemic has been above and beyond anything expected of local shops. I doubt very much whether one Co-op supermarket could have provided the same benefit to the community, or anything like it.

The development proposal is wholly at odds with the Local Development Plan, threatens the character, vibrancy and sustainability of a small Moray community and should, I believe, be rejected out of hand.

Thank you.

THIS OBJECTION WAS FILED ONLINE ON THU 14 MAY 20

1 8 MAY 2020

14 May 20

Moray Council

OBJECTION TO PLANNING APPLICATION 20/00474/APP

I OBJECT to Planning Application Reference 20/00474/APP. Hopeman village does not need a supermarket. Already there are two general stores in the village (Costcutter and Premier/Post Office) as well as a butcher (Wm Reid), an ice-cream maker (Stew 'n' Drew's), a florist (Harbour Blooms) and a chemist (Duthie). These are vibrant small businesses which individually and working together provide excellent products and services to the people of Hopeman, the wider locality and visitors. There are supermarkets in Lossiemouth (a Co-op), Elgin (several) and Forres (several); it's difficult to understand, therefore, why a Co-op supermarket (or any supermarket) is thought to be needed in Hopeman. One wonders on what basis Springfield/Co-op identified local demand for a supermarket? What is the evidence for this? It would be disingenuous to argue that Hopeman and the surrounding area would somehow benefit from the competitive forces of introducing a supermarket to the locality. Inevitably, the effect of a supermarket on the locality would be simply to displace up to six long-standing, privately-owned family businesses. What is the benefit of that to the community? There has been no community pressure for a supermarket to be developed in the village of Hopeman. Such a development would be inconsistent with Hopeman functioning as a sustainable community.

The site itself is not reflected in the Local Development Plan as earmarked for either residential or commercial development, still less both types of development on one site. Therefore, on what grounds has the Planning Application been lodged in terms of a deviation to the Local Plan? Has the developer conducted and submitted a Flood Risk Assessment and a Drainage Impact Assessment given the history of flooding along Forsyth Street and down Harbour Street? Indeed, in the past I have had to sandbag my own home on Harbour Street as water flooded down it towards the Harbour. Has the developer conducted a Noise Impact Assessment given the nature of the proposed development. According to the Local Plan at designated Existing Business Area (EBA) Site I1, these assessments would be required. Furthermore, Local Plan Policy DP5 states that in terms of an EBA like Site I1, '*established business uses will be protected from non-conforming uses, eg housing*'. On what grounds, therefore, has Springfield seen fit to propose a supermarket and housing development on what is primarily an area identified as having the characteristics of an EBA?

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The development proposal is wholly at odds with the Local Development Plan, threatens the character, vibrancy and sustainability of a small Moray community and should, I believe, be rejected out of hand.

[redacted]

Copies to:

Mr Douglas Ross MP
Mr Richard Lochhead MSP
Councillor James Allen
Councillor John Cowe
Councillor Ryan Edwards
Councillor Amy Taylor

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Over-development of site
- Traffic

Comment:I submitted an OBJECTION to the original application on Thu 14 May 20. I have reviewed the amended application and can see no meaningful changes to the original application in terms of the inappropriate and unwelcome nature of the application. Therefore, I have submitted a separate OBJECTION to the amended proposals in hard copy format to the Case Officer, Ms Lisa Macdonald.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:This development will impact local businesses that are strongly supported by our close community and already able to meet the needs of the community. There is no need for another business of this manner. Please don't let this ruin our seaside village which works hard to increase tourism so the businesses already established can thrive.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Dust
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Lack of landscaping
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Permitted Development
- Poor design
- Precedent
- Reduction of natural light
- Road access
- Road safety
- Smell
- Traffic

Comment:This application is another example of unwanted development being forced onto a small, picturesque, coastal community. The design is not at all sympathetic to the existing surrounding dwellings - the only other buildings that have wooden planks nailed to the front are the

22 unsightly cheap buildings being erected by the same developer. The height of the proposed blocks of flats will block out the limited sunlight we get during the winter and the windows will look directly into our property, completely removing our privacy. The proposed service yard includes an 18m sq plant area positioned directly against our boundary and immediately behind our decked sitting area. There is no indication on any of the plans as to what will happen to the 10ft hedge that we maintain to protect our privacy from oversight. The noise created by this plant and use of the service area will be intolerable and prevent us from using our sitting area, as will the noise and smell from the bins planned to go there. The noise created by deliveries will prevent us from sleeping with windows open as they are done first thing in the morning at unsociable times - no matter what the retailer will say. The dust created during construction will have a detrimental effect on air quality, as will the increase in traffic both during and after completion. Road safety is already an issue in Hopeman and the addition of yet another heavily used access point will exacerbate that problem to a wholly unsafe level. Hopeman has no requirement for a retail unit as we are already well served by the three existing shops and at least 6 supermarkets within 7 miles of Hopeman. The village shops will be forced to close, removing not only the incomes for those owners and employees but also removing vital community links which are essential for the demographic of this village. The size of the retail unit is the same as that at other huge Springfield developments across Moray and is indicative of the developers openly stated intention to fully develop the fields east and west of Inverugie Road, south of the existing village properties. The 22 Springfield properties had already been accepted as an over development of Hopeman and combined with the R1 and LONG sites there is absolutely no requirement for further development in the village. Should this proposal be accepted, it will set a precedent allowing continued development to the south of the B9040 which goes against both the current and the proposed Local Development Plans. Hopeman itself lies within the Special Landscape Area which was designated as such to specifically prevent the over development of small communities and protect the land.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Inappropriate materials/finishes
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Poor design
- Precedent
- Reduction of natural light
- Road safety
- Smell
- Traffic
- View affected

Comment:In addition to the objections already raised I would like to voice my concern regarding the co-op proposal and flat development. It appears that the amended plans shows a service yard within my boundary. It also appears to indicate that the established hedge row will be removed in order to make way for bins? Why would someone remove a hedge that encourages bio-diversity within gardens? The bins also butt up agains our boundary wall which will make it impossible for us to use our outdoor seating area due to smell, noise and the potential for vermin encroachment.

It is interesting to note that these bins will not impact any new development of Springfields and that they could be better placed. I have also had the unfortunate experience of living near a co-op in the local area. The noise of morning deliveries was so bad that trading standards had to be contacted as the local co-op were not prepared to address it. There was also an issue with youths congregating outside the store and the sale of alcohol was also problomatic. The Police and local schools had to deal with these ongoing problems. I noted within the proposal Hopeman was compared to Lhanbryde. The only similarity is regarding population density and little else. Lhanbryde is a small inland village with 4 shops and a bypass. Hopeman is a coastal/tourist village with numerious shopping outlets. People travel to Hopeman because of what it has to offer thereby increasing numbers and traffic. We already struggle with poor infrastructure so any new development will only have a negative impact on the village. We are clearly at maximum capacity which needs to be recognised once and for all.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Inappropriate materials/finishes
- Litter
- Noise
- Over-development of site
- Permitted Development
- Precedent
- Procedures not followed correctly
- Road access
- Road safety
- Traffic

Comment:This development will not be in keeping with the village.

This is the beginning of a larger development, being done by the back door. First, 22 houses were turned down by the Council but was usurped by an Edinburgh decision and secondly the drainage, which was part of the planning permission has been somewhat botched and has still to meet standards as the main road still floods in inclement weather.

I feel if planning is given this sets the precedent for a larger development, that has previously been turned down and the developer is trying again, and will do so until they achieve their aim, regardless of local opinion and decision making. Hopeman is a village, not a town. We do not need another retail unit as we already have; two well stocked grocery shops - one being a post

office - a butcher and chemist. There is simply no need, or local appetite for another retail unit. There would be an increase in traffic to the flats and retail unit, even at the moment, with the development of the houses by the same developer, with no noticeable improvement to the road the traffic has proven to be dangerous and problematic with an increase in vehicles parking on the road has created congestion most days. With the new proposed development being so near to Harbour Street and Inverugie Road and on the opposite side of the main village, the traffic and congestion can only get worse. Flats are also totally out of character for that side of the village and does not conform to the landscape and layout of the existing village. We have had a history antisocial behaviour in Hopeman, mainly from youths coming from other towns and villages, with another larger retail unit there is potential to attract even more plus the addition of litter and added noise.

I cannot understand why, after so many objections from both local residents and local government, why the developer is allowed to submit another set of plans that would outright destroy a historic and traditional fishing village with a community for ever.

Comments for Planning Application 20/00474/APP

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Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Civic Group

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Inappropriate materials/finishes
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Poor design
- Precedent
- Reduction of natural light
- Road access
- Road safety
- Smell
- Traffic
- View affected

Comment:In addition to the objections already submitted for this application and following the additional documents submitted by this developer, Hopeman Flood Action Group would like to add the following as a further objection:

The Drainage Impact Assessment contains a number of misleading statements and factual inaccuracies. Para 2.2 refers to the existing Flood Alleviation Scheme. This scheme was never a

Flood Alleviation Scheme, it is merely a drainage improvement scheme designed to protect the 22 houses erected by this same developer. In their own application and plans, it was never referred to as a Flood Alleviation Scheme as this would have required following a far more stringent set of regulations. Additionally, this plan made no mention of including this current development in it's catchment. None of the included diagrams for the drainage showed any proposed / future drainage input.

Para 5.2 refers to a 3 category Maintenance Plan. Springfield have already demonstrated that they have no intention of following recommended and approved maintenance plans by their failure to maintain the existing drainage scheme which is currently overgrown and choked with vegetation and litter.

Appendix C of this document shows the plan of the existing field drainage scheme and clearly shows how the bund should be completed. The bunds and the culverts have still not been completed in accordance with the approved plans.

Appendix D clearly shows a connection from the proposed development into the existing drainage swale. This connection was not shown in any part of the drainage scheme application, nor was it included in the calculations made to determine the capacity and run-off rates for the swale. With the state of the swales, there is no way it could cope with the additional run-off from this development and, in the unlikely event the swale is maintained, what proof is there that it would even then be able to cope? This proposal will put additional strain on our village infrastructure that is already identified as being at maximum operating capacity.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Drainage
- Over-development of site

Comment:I believe that our local shops are enough; they work hard every day supporting hopeman and to introduce anoth shop would be a kick in the rhem to them.

I feel another one is not required .

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Poor design
- Road safety
- Traffic

Comment:Springfield seem hell bent on reshaping our village beyond recognition, this whole development would be a blot on what's a beautiful old traditional village with a tiny high street which provides for our community, Hopeman is a community success story a rarity in this day and age, these decisions will massively impact on our community, think hard planners, it's not wanted or required!

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Poor design

Comment:I object because the plans show a bland and plain,undistinguished appearance which pays no attention to the local community, in either design or materials.

I object because the village is already well-served by individual businesses that have proven their value over the years and under the harsh tests of lockdown.

I object because this is for yet more residential housing from a developer who, having publicly declared his intention of building more and more houses along the south side of our village, (and against the Council's policy in every case), continues to push for housing on a scale which is completely out of proportion for a community of this size.

Hopeman doesn't need the retail units and with 22 houses nearing completion and planning for 48 houses on land approved for housing by the Council already applied for, doesn't need these residential units either.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Road safety
- Traffic

Comment:Contrary to Local Plan
This proposal is a deviation from local plan 2015 where B9040 is the southern boundary of Hopeman. In Springfield's own planning application they state "We have assessed our proposal against the Development Plan and while recognising that the site is located out with a recognised settlement boundary, this shows that they would still like to get away with it over ruling the current plan.
Previously the reporter has upheld local appeals against deviation from the plan.

Drainage and Flooding
The plan is to link into the existing foul and surface water runoff system which failed twice previously to handle existing volumes.

Further the site plans to protect itself along the southern boundary by quote from the application "A filter trench will be incorporated in the drainage design for the purpose of preventing overland flows from adjacent fields to the south from affecting the development." this will turn the natural drainage of the existing land into a greater problem for the other existing households within Hopeman.

Road Access/Safety andTraffic
Putting extra junctions into B9040 within Hopeman where the road is already narrow and is

exacerbated due to parking issues, increases the risk of a serious/fatal accident on this section of road. To have a junction very close to Harbour Street, which is a crossing increases this risk considerably, by introducing further cross roads to the B9040.

Having a footpath on southern side of the B9040 at the new development, which only highlights that none exists on the rest of the southern side of the B9040, only exacerbates issue of the southern boundary of development, as well an introducing a further potential risk to pedestrians.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Drainage
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Litter
- Noise
- Parking
- Poor design
- Precedent
- Road access
- Road safety
- Traffic
- View affected

Comment:This application would negatively impact the historic community of Hopeman. The village has sufficient and well regarded local shops; we do not need a national supermarket that has the potential to close our local shops. The local shops are, and have been, stalwarts of our community; especially now in the current COVID-19 pandemic.

With an application for another retail outlet, there is the inevitable motive for anti-social noise, behaviour and traffic issues. Hopeman has only recently recorded a period of intense anti-social behaviour, with property damage. This application would result in a honey trap for more people, from outside the village to come. There are already traffic issues on the Forsyth Street; several have been directly caused by the applicants' projects elsewhere on the road. Increased traffic with

the existing infrastructure and on street parking of Forsyth Street would be troublesome if not dangerous for not only residents but commuters who travel between places such as Burghead and Lossiemouth.

Drainage has been an issue in Hopeman with Harbour Street flooding multiple times in previous years and this has not been helped by the inadequate attempts by the applicant already in Hopeman. There have been several issues, of which I am not well versed, with the applicant not following plans or completing the work to the required standard contrary to the local planning.

The submitted plans do not conform to the layout of the village. They contain unthoughtful materials that degrade the appearance of the village and the buildings are designed in a way that they do not fit into the existing structure and will stand out significantly. Hopeman is a historic ex-fishing community and I find it outrageous that a village of such beauty would be victim to a visual overhaul of this effect.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Inappropriate materials/finishes
- Litter
- Noise
- Parking
- Precedent
- Road access
- Road safety
- Traffic

Comment:I once again find myself objecting to planning proposals from this applicant. The delusional concept of a new town often referred to as 'New Hopeman'. These plans being rejected by the local planning authority, now being insidiously proffered piece meal, in the attempt that they think people is too stupid to notice. The last attempt at 22 social housing again rejected at a local level but over ruled at a National level.

Arguments against the original propositions still stand that it would negatively impact the social and historic community of Hopeman.

The village has sufficient and well regarded local shops. We do not require a branch of a national supermarket that has the potential to negatively impact our local shops. The local retailers are, and have been, stalwarts of our community for many years; especially now in the current COVID-19 pandemic. With an application for another larger retail outlet, more people would be encouraged to visit, straining the already inadequate road and infrastructure of the village. This would also encourage anti-social noise and behaviour. Hopeman has only recently recorded a

period of intense anti-social behaviour, which has resulted in property damage.
This application would also result in more people, both residing in and, visiting from outside the village. The traffic issues on the Forsyth Street; several have been directly caused by the applicants' projects elsewhere on the road, are even now becoming troublesome if not dangerous for not only residents but commuters who travel along the B9040 between places such as Burghead and Lossiemouth. With no improvement and more housing planned this can only worsen.
Drainage has been a historical issue in Hopeman. Harbour Street has seen flooding multiple times in previous years. Although inadequate attempts have been made by the applicant already in Hopeman the problems persist. There have been several issues, of which I am not well versed, with the applicant apparently not following plans or not completing the work to the required standard contrary to the local planning. If the proposal goes ahead without due regard Hopeman will flood.
The submitted plans do not conform to the ethos and character of the village. They contain unthoughtful materials that degrade the appearance of the village and the buildings are designed in a way that they do not fit into the existing distinctiveness. We have been assured that areas to the south of Forsyth Street are of a protected status and it is outrageous that a village of such beauty would be victim to such a negative impact.
This is a thinly veiled precursor for worse things for Hopeman, that have already been refused, and an indictment of the planning procedures within our community.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Road safety

Comment:I feel we have enough shops in the village

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Drainage
- Height of proposed development
- Inappropriate materials/finishes
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Permitted Development
- Poor design
- Precedent
- Road access

Comment:This development is unnecessary to the village of Hopeman. There are already two shops and a butchers. Any coop would be completely detrimental to the existing shops which are a huge part of our community, not to mention the anti social hours and the impact on local residents. Further retail units would again have an impact on current businesses. The impact on traffic would be unacceptable not to mention safety. There are no pavements there, it would encourage people to walk over the main road for access and the pavement on the opposite side of the road is very narrow. I see this as a safety issue. The current village is not set up for this. Materials that are being used in this development are not in keeping with the village. This can be clearly seen in the other development. They stick out amid many period homes. The flats will be too high and not in keeping with the surrounding area. Road access may cause an issue as many resident cars are forced to park on street as they have no off street parking. This will make the main road very difficult to manoeuvre, dangerous to people trying to cross the roads, especially

between cars as mentioned above and have a huge increase in traffic and pollution. I also have to say that this is yet another way to allow over development of the whole site as previously put forward by Springfield. If this is allowed it sets a precedent that the site is going to be developed.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Over-development of site
- Parking
- Road access
- Road safety

Comment:I have two objections pertaining to Springfield's proposed development, ref: 20/00474/APP.

Firstly, as a result of this Covid-19 pandemic the structure and size of our smaller communities within Moray has demonstrated the ability of smaller communities to be able to look after and tend upon its inhabitants, without compromise. This is something that neither town communities nor indeed district councils can achieve, no mater how hard they may try. By expanding the population in these smaller communities, you reduce the effectiveness of being able to support the population structure.

My second objection pertains to the proposal to introduce a large retail unit. Again, highlighted by this pandemic. Smaller retailers, which have been well established within our community, can provide services to the community, as has been proved during this emergency, which larger retailers just cannot or do or want to do. For example: The Co-op in Lossiemouth does not do home deliveries.

You just have to look at the record of bigger retailers within larger population zones. All they care about is making money and little about the welfare of the inhabitants. If larger retail units were inserted into the structure of our village, it would put at jeopardy the viability of our small shops,

much to the detriment of our village, especially those retailers which sell exactly what our small shops sell.

Bearing in mind both these especially important structural objections, it is pertinent to remind the District Council that "you are our servants and not the other way around". We are not here for your benefit. You are only here to support us as a community and not big business.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site

Comment:The village is already served well by two stores, a chemist and a butcher. It does not need any further retail units.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:I strongly OBJECT to Planning Application Reference 20/00474/APP. In my opinion, I believe Springfield owner Sandy Adam is trying to deliver his last blow to the village of Hopeman as his application for 600 houses had been rejected due to community backlash. Hopeman does not need a supermarket, the village has long standing, family owned businesses within the streets of Hopeman which provides all residents with everything that they could need. Hopeman has two general stores, a butcher, a café, a chemist, a chip shop, an ice cream shop and a florist. What more could you want? Hopeman has no need for a large store like a Co-op as you can easily pick up shopping and more within the community. Between Lossiemouth, Elgin and Forres, I believe there is a minimum of eight supermarkets (excluding B&M, Homebargains, Farmfoods etc) that you could pick up any additional goods you require. I must add that Hopeman does not have a service station and all three towns listed above, do - If people require fuel, they can collect whatever they cannot get in Hopeman from the places listed above.

DRAINAGE - Hopeman has a history of flooding from water travelling from the fields behind the proposed site, aggravating the land will not only leave the suggested retail unit and blocks of flats at risk, it will also increase the risk of flooding on Forsyth Street, Harbour Street and potentially East Road. I, myself own a business on Harbour Street and have had to blockade my door with sandbags to stop my shop from flooding. In result, I suffered serious loss of earnings due to the

heavy flow of water passing my entrance. I believe that taking a risk and potentially raising the flood level of the village is ludicrous.

OVERDEVELOPMENT OF SITE - In the proposed area, there is simply too much going on without a large retail unit and two blocks of flats being erected. Along Forsyth Street, there is already a Bowling Club, houses dropped in every free inch, three extremely busy junctions and a builder's main office/yard. Is there enough room for what's being suggested while leaving enough room for everyone else? No.

PARKING - Parking at the proposed site will endanger everyone travelling along Forsyth Street either by foot or by vehicle. Once the 29 spaces are filled, shop users will not think twice about abandoning their cars along Forsyth Street to access the retail unit in question. There are three busy junctions in the apposed area (as mentioned above), more parked cars around the junctions will lead to more accidents which cannot be justifiable.

ROAD ACCESS/ROAD SAFETY/TRAFFIC - As I have clearly stated above, Forsyth Street already is a heavily used road with three junctions in the vicinity (top of Harbour Street, bottom of Inverugie Road, entrance to Tulloch's of Cummingston) Adding another will create mayhem along the street. A service bus stops every hour almost directly from the opposed site and multiple school busses stop and go within the area, these large vehicles coming to a halt within yards of all junctions is obviously going to result in casualties one way or another. As the road is already heavily congested, pedestrians trying to cross the road to access the retail unit will be in immediate danger due to the uncertainty of what may exit from one of these junctions, it wouldn't take much for a moving vehicle exiting a junction to collide with a person trying to cross the road.

In conclusion, I am firmly against the whole proposed idea of having two blocks of flats and a retail unit dropped into the heart of my village, Hopeman has solely stood on its own for many of years and will continue to do so because of the community spirit we have. I have owned a business within Hopeman for 15 years and am overwhelmed each day by the local support I receive. I must add, a large goods store being added into the village will cripple all businesses, mine included. I fear that if the retail unit is added, my workplace may suffer such serious cutbacks that I may have to lay off staff or even stop trading. I know I am not the only person who shares the same fear, if businesses close within the village then we have to expect a surge of unemployment and potentially poverty within Hopeman. Why take all of these risks to add something that doesn't need replaced?

Yours sincerely,

[redacted]

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

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ROAD ACCESS/ROAD SAFETY/TRAFFIC - As I have clearly stated above, Forsyth Street already is a heavily used road with three junctions in the vicinity (top of Harbour Street, bottom of Inverugie Road, entrance to Tulloch's of Cummingston) Adding another will create mayhem along the street. A service bus stops every hour almost directly from the opposed site and multiple school busses stop and go within the area, these large vehicles coming to a halt within yards of all junctions is obviously going to result in casualties one way or another. As the road is already heavily congested, pedestrians trying to cross the road to access the retail unit will be in immediate danger due to the uncertainty of what may exit from one of these junctions, it wouldn't take much for a moving vehicle exiting a junction to collide with a person trying to cross the road.

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Yours sincerely,

[redacted]

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Community Council/Association Consult
- Drainage
- Dust
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Lack of landscaping
- Litter
- Noise
- Over-development of site
- Parking
- Poor design
- Road safety
- Traffic
- View affected

Comment:Hopeman is a village and has already got an unfinished, poorly designed and unwanted addition. The village is very well provided with shops as the recent lockdown has shown and a new retail development will badly affect, not only Hopeman shops, but also those in Burghead.
As a passerby I have noticed that the flooding on the west side of the westernmost house in the unfinished new development has been dealt with by simply filling the sump with gravel. Flooding in the proposed new development seems likely with the drainage problems that already exist.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Over-development of site
- Road access
- Road safety
- Traffic

Comment:I am [redacted] a resident of Hopeman and will be objecting to these plans as not only a businessman but a member of the community.

Reasons for my objection are outlined below:
A new Co-op or shop in the area will be detrimental to my business as we are independently owned shop and so rely on a steady footfall; we don't have a large company to support us if trade was to decrease.
Along with ourselves; the butcher, pharmacist and Costcutter all rely on the local trade and are independently owned.
If our sales decrease substantially we may not be able to continue operating forcing us to close the shop and Post Office which is within our shop- a service which many within our community rely on.
Even though the plans for the Co-op include a cash machine on site, there again is no requirement for this within the village as customers are able to withdraw and deposit cash at our Post Office.
e.
There has previously been three shops within Hopeman but did not last long as the population could not sustain them and considering the plans for the large quantity of Springfield houses have been rejected it goes to show we will be repeating history.
During the lock-down pandemic of 2020 we have seen most locals shopping solely in Hopeman and not venturing to Elgin for a weekly/monthly shop, this has shown that we already have

everything needed within Hopeman itself without adding further competition from a large company. The traffic on the narrow roads is already extremely busy, especially in the Summer and the increased drivers entering and leaving a car park would create road safety issues.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:We regularly visit Hopeman which is already served by 2 stores. This development would result in over saturation and be detrimental to the existing local businesses.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Litter
- Loss of privacy (being overlooked)
- Noise
- Reduction of natural light
- Road access
- Road safety
- Smell
- Traffic

Comment:Object on grounds that the business may generate noise , excess traffic and rubbish including noise from Air conditioning units and delivery lorries at unsocial hours.

The village is already well served by retail units and as such does not need the proposed shop.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Noise
- Over-development of site
- Precedent
- Road access
- Road safety
- Traffic

Comment:This development is certainly NOT needed in Hopeman. The current shops are MORE than enough in Hopeman.14 Flats!! We certainly do not need more or indeed any more flats in this small seaside village. How many more buildings does this developer wish to build in this location?

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Activity at unsociable hours/behaviour
- Affecting natural environment
- Drainage
- Height of proposed development
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic
- View affected

Comment:Over the last 16 years since I have lived in Hopeman there has been so many building applications. This needs to stop as keep Hopeman a village with the natural heritage and historic meaning as a fishing village. Enough is Enough.

Tulloch of Cummingston is already building 70 plus houses in the village. The village will not be a village anymore as the more houses the developers build the more Noise, Cars, Pollution, Traffic, Parking requirements, Access to Hopeman school places, over-development of a small fishing village, the more litter, the more affects on flooding in our village. Loss of privacy to the houses near the development site.

Please hear the voices of the community No more developments in our village of Hopeman

If a co-operative store was to be built, imagine the businesses already in Hopeman that have been here for decades, Costcutters, The Post Office Store, The Butchers what about their businesses? Think of these small businesses not the large conglomerate businesses. The government have stated that that want small businesses to start up and thrive.

I strongly object to any further development to our village of Hopeman

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- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Poor design
- Precedent
- Procedures not followed correctly
- Reduction of natural light
- Road safety
- Smell
- Traffic

Comment:We have not received neighbour notice of the proposal. The design is not in keeping with the majority of the village. There is no requirement for a Co-Op retail unit as we already have 3 shops that cover all that the village needs - and not just in terms of retail. The height of the flats will block out the limited sun we get during winter months and they will be able to see directly into my garden and property. The service yard backs immediately on to our property and will result in unacceptable noise levels,smells and activity at unsociable hours. The increase in road traffic will further increase the hazards to our community on an already busy road, both in terms of physical road safety and the degredation in air quality. Hopeman has already been overdeveloped by the 22 cheap houses put up by Springfield and the Tulloch Manse Road development.

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Comment:This application is another example of unwanted development being forced onto a small, picturesque, coastal community. The design is not at all sympathetic to the existing surrounding dwellings - the only other buildings that have wooden planks nailed to the front are the 22 unsightly cheap buildings being erected by the same developer. The height of the proposed

blocks of flats will block out the limited sunlight we get during the winter and the windows will look directly into our property, completely removing our privacy. The proposed service yard includes an 18m sq plant area positioned directly against our boundary and immediately behind our decked sitting area. There is no indication on any of the plans as to what will happen to the 10ft hedge that we maintain to protect our privacy from low level oversight. The noise created by this plant and use of the service area will be intolerable and prevent us from using our sitting area, as will the noise and smell from the bins planned to go there. Hopeman has no requirement for a retail unit as we are already well served by the three existing shops and and at least 6 supermarkets within 7 miles of Hopeman. The village shops will be forced to close, removing not only the incomes for those owners and employees but also removing vital community links which are essential for the demographic of this village. The Scottish Government Reporter has agreed that the B9040 should be the southern boundary for any development which puts this site outwith that. It also lies within the SLA which has not been taken into consideration by the developer. The recommendation by the Reporter that the site proposed for developing near Hopeman Golf Club should be removed from the plan highlights the fact that Hopeman already has sufficient growth factored in through the R1, LONG and Springfield sites. The 2020 LDP identifies Hopeman within the Settlement Statements as a Smaller Town and Village with the aim of safeguarding its distinctive character so this development, unsympathetic to the surrounding buildings, will therefore go against this. The B9040 through Hopeman has already been highlighted to the Council as an issue for road safety and this will only be exacerbated by the increase in traffic that will come from both the flats and the retail unit. The public transport infrastructure is limited and is not capable of replacing the use of private vehicles to get to work or other settlements which therefore goes against the Scottish Government aim of reducing the carbon footprint.

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Comment:The applicant has stated that the proposal is not a Schedule 3 development. However, from Para 8 of Classes of development - regulations 20(2)(c) and 41(1)(b):-

(8) the construction of buildings, operations and use of buildings or land which will-

(a)affect residential property by reason of fumes, noise, vibration, smoke, artificial lighting, or discharge of any solid or liquid substance;
COMMENT: The applicant has positioned a plant area containing refuse bins and presumably power supply units on our boundary wall, immediately behind our decked seating area

(b)alter the character of an area of established amenity;

(c)bring crowds into a generally quiet area;
COMMENT: 8 residential flats and a retail unit will considerably increase the number of people using an area that is currently a very quiet site, despite being utilised for the storage of building materials.

(d)cause activity and noise between the hours of 8 pm and 8 am; or
COMMENT: Delivery of supplies will invariably happen outwith those hours. COOP and the contracted delivery company failed to deal with a similar issue raised on numerous occasions with deliveries to the ex-COOP on MacDonald Drive in Lossiemouth.

(e)introduce significant change into a homogeneous area.

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Comment:In addition to the objections already submitted for this application and following the further documentation submitted by the developer, I wish to submit another objection. This

developer has submitted documents such as the Drainage Impact Assessment that contain misleading and inaccurate information, particularly when referring to the existing Flood Alleviation Scheme. This isn't, and never was, a Flood Alleviation Scheme. It was a drainage scheme designed to protect this same developers 22 houses. There is no mention in the plans for that scheme of an additional input from this proposed development. Appendix D of that document is a diagram which has been amended and now shows a 50m2 service yard inside my property, bins from the Co-Op, a 4.5m2 plant area and now bins for all of the flats butted up against my boundary wall. Not only will this stink out the whole area, and result in an intolerable amount of noise immediately behind our seating area, it will also result in seagulls congregating around them, causing an environmental and health hazard to both humans and animals. Additionally, those bins and the plant area are showing as being inside the mature hedge that currently provides us with privacy from neighbouring land and properties.
The Retail Planning Statement only supports the Co-Op. It goes on about the amount of profit per square metre and how much more profit it will make compared to the existing businesses in Hopeman. This is extremely misleading. The profit our local businesses make stays within Hopeman and the surrounding area. The Co-Ops profit does not. It makes a big deal about the creation of jobs and yet it fails to address the loss of jobs and income caused by their undercutting of these local businesses, resulting in their collapse. There is nothing in that document to say that the Co-Op employees will be Hopeman residents.
No matter how many changes are made to the planned designs, the Springfield designer / architect is obviously a 'one-trick-pony' churning out the same cheap and nasty designs irrespective of the surroundings. As proven by the 22 houses further along the same street, this developer will, if the plans are approved, immediately and consistently endeavour to deviate from those plans, cutting corners and cutting costs at every opportunity. He has also done this with the unfinished drainage scheme south of the village. The facts remain that this developer is attempting to build on land not designated for residential use, land that is within the SLA and outwith the Scottish government approved LDP. The Scottish Reporter has confirmed that the B9040 should act as a natural boundary for any further development of Hopeman and confirmed that our village has more than adequate housing stock through existing houses and already approved development sites which allows for both its current size and future expansion.

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Litter
- Road safety
- Traffic

Comment:HOPEMAN IS A VILLAGE NOT A TOWN AND HAS 2 ADEQUATE SHOPS WHICH WILL SUFFER IF THIS DEVELOPMENT GOES AHEAD. THE INFRASTRUCTURE WOULDN'T COPE WITH THE INCREASE IN TRAFFIC .

WE DON'T WANT SPRINGFIELD RUINING OUR VILLAGE - KEEP OUT.

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- Affecting natural environment
- Contrary to Local Plan
- Noise
- Over-development of site
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Comment:I wish to register my strong objection to the proposed development for the following reasons:

There are already retail outlets in Hopeman (butchers, chemist, Post Office/general store & a Costcutter general store all of which cater more than adequately to the needs of the village. One of the stores already sells Co-Op branded items. A further Co-Op store would be detrimental to the established retail outlets and would add nothing to the village.

There are a total of 29 parking bays indicated for the rear of the development with a further 3 alongside the main road Forsyth street. Access and egress onto an already busy narrow road opposite a bus stop would pose a major hazard to traffic and pedestrians. Moreover, the delivery of goods by lorry to the proposed outlet would only compound the problem.

With 70 additional dwellings already proposed for Hopeman plus the 22 being built, the village is in danger of becoming an urban sprawl in what is an area of outstanding rural beauty. The building of more flats would not be in keeping with the infrastructure of Hopeman.

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Comment:To Whom it May concern

I strongly object to the proposed development of the retail units.I have lived in Hopeman for over forty years At present the village has enough shops which are used well All too often we have seen the loss of shops all over the country.The shopkeepers here provide a great service to the community especially now in these difficult times we are living in. A large retail unit would be a threat to there livelihood also the amount of traffic at the junction of Harbour Street.I hope proposed application is rejected

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Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Over-development of site
- Traffic

Comment:We oppose the proposed development. Our objection is on three grounds: first, the proposed development breaches the Moray Council Development Plan 2015. We note that the 2015 Plan proposed a development site for 25 houses on the western, Cummingston side of Hopeman. The current development on the south side of Forsyth Street to the west of Inverugie Road already breaches the Plan, and the proposed one would make matters worse. Secondly, the proposed development, together with the current one, would worsen the existing traffic choke point at the top of Harbour Street, the main entry to the western side of Hopeman. In our opinion this choke point is already becoming dangerous. Finally, we do not believe that any objective need for the development, in particular the retail unit, has been stated.

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Comment:If Springfield have been denied permission to build to the South why do we need another shop, and in such a poor location? Shop is on the wrong side of the road for the Village, who is it meant to serve? Proposed for area where flooding has been an issue in the past, not sure if plans address this risk. Flats are higher than surrounding traditional houses, they do not fit in with Hopeman house type and overlook traditional houses. Unless adequate waste bins are provided at Co-op entrance and regularly emptied, litter will be an issue. Parking is not sufficient for Co-op and Business Unit employees and customers, and Flat residents and guests. This will result in poor parking behaviour in an already tight parking area and overflow on to Forsyth Street. Forsyth Street is a very busy road where on-street parking and bus stops already restrict traffic flow. Villagers have to cross Forsyth Street to get to Co-Op. The car park entrance and proposed on-street parking are adjacent to a major X-road with limited views for Harbour Street traffic and coincident with on-street bus stops used by school and other buses. Increased traffic, traffic turning in to or exiting from car park, increased on-street parking and footfall associated with the development will substantially increase the risk of RTAs, either car-car or car-pedestrian, on Forsyth Street.

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[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Traffic

Comment:The traffic infrastructure will not cope with more housing what with the new houses being built at the west of manse road. Our local shops will directly be effected by the notion of a new shop. Hopeman has enough shops and the proposed would directly effect the existing ones livelihood.

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- View affected

Comment:The main issue concerns the effect on the long-standing small local food businesses in Hopeman which struggle to survive. If a Coop was to open in the village, there would be too much competition and the existing businesses would become unprofitable.

The style of the buildings will not be in keeping with the surrounding dwellings which are all constructed in a traditional manner with some of them being over 100 years old.

Note that a previous application to build a dwelling house on this site (89/00415/FU) was rejected.

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Comment:This revised application does not vary significantly from the original. My main objection is to the effect on the existing small local food stores in Hopeman.

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Comment:I strongly object to this planning application for a number of reasons, firstly on a road safety aspect, Forsyth Street is already a particularly busy road and with no traffic calming measures in place vehicles regularly break the speed limit, this proposed retail outlet and flats would only increase this behaviour therefore increasing the likelihood of an accident. We have already experienced a great deal of disruption with Springfields ongoing development.

The location of the planned development would also exacerbate the already hazardous area at the crossroads between Harbour Street and Inverugie Road.

Secondly is the construction of more residential flats necessary in Hopeman where services to the village and surrounding villages are being cut such as the closure of the local GP surgeries in Hopeman and Burghead, the limited public transport services which have already been reduced.

Thirdly Springfields generic construction design is not in keeping with small traditional coastal villages, there housing design is not sympathetic to the surrounding area and does not stand the test of time, this is clear to see in the many housing estates constructed by Springfield in Moray and will certainly show in the years to come.

Finally from the discussions I have had in the community with local people it is the consensus is not for the benefit of Hopeman but for Springfield's profits and certainly not that of the local

businesses already established here.

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Comment Reasons:

- Contrary to Local Plan

Comment:The Moray Council 15-year vision local development plan as approved by the Scottish Government, identified that with the 22 house development off Forsyth Street, and the already approved 48 home development off Manse Rd, Hopeman had reached the limits of it's physical growth.

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Comment:The developers own submission of a Retail Planning Statement estimates that the annual turnover of the new Co-op would be £2m. The figures in the submission estimate that the existing stores within Hopeman and Duffus currently have a combined annual turnover of £1.38m. This must demonstrate that the ultimate aim is to put those existing businesses out of business. These are businesses that have gone above and beyond during the current COVID-19 crisis. I find it hard to believe that this £2m of turnover would be new business. They cite the example of Lhanbryde. I believe that the Co-op there is only in competition with one other store. As the Developer lists in their own submission, there are 5 competing stores currently within Hopeman and Duffus.

The estimated level of turnover must surely indicate that there will a lot of traffic delivering stock to the proposed store. The entrance to the store is not far from the busy Forsyth St/Harbour St junction. Hence road safety and noise must be significant considerations.

In addition, an estimated annual turnover of £2m is highly suggestive of the fact that there would insufficient short term parking for such a store. This would likely lead to parking on Forsyth St close to the aforementioned busy junction.

As I stated in my last objection, I also believe that with the developments already approved/waiting approval in Hopeman, if this development were also approved the expansion of the village would go well beyond that envisaged in the LDP.

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Comment:Having lived in Hopeman for over 16 years, [redacted] I as every other resident of Hopeman enjoy the village life and do not wish to see the peaceful atmosphere ruined by developers who only have profit in mind, with No concern for people's welfare or community spirit.

I strongly object to The proposed Planning Application Reference 20/00474/APP for a commercial building/flats and car parking spaces is just a stepping stone for Springfield Developers to build further housing on the southern side of the village.

The proposed Commercial Building of a Co-Operative Store will not only take business away form the small village shops who have been in the heart of the Hopeman village community for many years, these businesses need our support as much as we need their support especially during

these times of the crisis we are dealing with COVID-19. Our Village shops have been our lifeline the large businesses/conglomerates do not have the commitment that our small business owners have to our well being, knowing our names as if a member of their family, their commitment to our elderly residence, these shops have gone out of their way to help in this challenging crisis. We must support our village shops as the government has stated to support small businesses and make them thrive.

The drainage problem we have in Hopeman causing flooding over the site in question on Forsyth Street, which will be aggravated by this proposed planning application.

Overdevelopment of site. Enough is Enough on the proposed building in our small Village, Keep our Village a Village with the history of a village. Over the years every spare bit of land in the area of Hopeman planning applications have been put into the council for approval. The Moray Council must see that this should not be able to go ahead under their Service Level Agreement and Local Development Plans.

Road Access, The Safety of our residents and the Traffic on such a small Junction, near a bus stop, more cars on such a busy junction is an accident waiting to happen!

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Comment:I would like to strongly object to the current plans for a new development on the south side of Hopeman.

Sandy Adam and Springfield are determined to build what is the equivalent of another village on the south side and will try any way possible to get this, he has already said that he will get this 600 house development by fair means or foul.

Shops. We already have more than enough shops to serve the community, and that is what we have here, a community. These shops have gone the extra mile to serve the people of this village

during the current crisis and the people of the village will support them in times ahead. There are approximately a dozen supermarkets within 10 miles. To build a supermarket here will ruin this village, if the shops close the heart will be taken out of the village. I have yet to hear of one person who would use this supermarket.

Flats. The local housing plan will be met by the new houses at Manse Road, these flats will be an ugly monstrosity on the main road, too many things are trying to be squeezed into a small area, overdevelopment at its worst.

Drainage. Hopeman has had huge drainage problems in the past few years, mainly man made, the drains in Hopeman can not deal with more houses and this amount of development.

Roads. I have three objections here.
1. This area of planned development is not suitable for the projected amount of traffic/parking. It is a very small tight corner in a very quiet residential area, lorries and vans delivering day and night as well as traffic passing to a supermarket will be extremely worrying in this area. The corners are too tight, the vision coming out onto Forsyth Street is horrendous now, with a build up of traffic it would be an accident waiting to happen.
2. Harbour street is a huge problem just now, there are already too many cars, In the summer it is 50 times worse with caravans and tourists, there is little or no parking and the village is at full capacity.
3. This is the area that the school bus picks up and drops of the local children, I shudder to think of the amount of traffic build up that will happen and the risk to both children and old people in this wholly unsuitable road.

In summary this is a village, one of the few true communities left in the area and to some of us whose ancestors have been here for over 200 years this is an insult to our heritage.
Springfield housing do not care about community, they are a profit making company, they will do no favour to Hopeman now or in the future. And the Laird is also only interested in lining his pockets, with no interest in the people, the community or the treasured heritage.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

N[redacted]

A[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Parking
- Road safety
- Traffic

Comment:My objections to this development are that:

1. It is contrary to the consulted Moray plan which has a presumption of no further development South of Forsyth Street.

"Large scale expansion of Hopeman is not part of the settlement hierarchy and will have an adverse impact on character of village and landscape to the south."

http://www.moray.gov.uk/downloads/file123029.pdf pg 44

2. The development provides for a significant number of parking spaces, attached to both the flats and the retail unit. The B9040 is already a busy road with through traffic in both directions and the additional cars that will follow this development will add to, what is presently, a difficult route to navigate at peak times, and at all times of the day, including weekends, when cycling.

3. The development provides an additional risk to travellers, by car and bicycle, because located very close to the cross roads of Harbour Street/Inverugie roads (which have poor visibility for people exiting) there is a significant likelihood of increased accidents. This will be exacerbated by increased on-road parking as visitors to the flats/customers of the shop find off road parking unavailable.

4. Hopeman is presently sufficiently well served by retail outlets within the village and there is no demand for additional retail capacity.

Comments for Planning Application 20/00474/APP

Application Summary

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Dust
- Litter
- Noise
- Over-development of site
- Parking
- Road access
- Road safety
- Smell
- Traffic

Comment:I previously lodged an objection to this development and having read the various statements provided subsequently by the developer am moved to comment on the matter further. Let me be clear, I do not object in principle to the development of the site; it is of detriment to the community that it continues in it's current guise, what concerns me is the nature of the current proposals and, in particular, the increased level of traffic that will be generated on an already narrow and at certain times of the day, excessively busy secondary road.

The Planning Support Statement, Retail Planning Statement and Transport Statement on first glance appear thorough, comprehensive and detailed. I am sure the developer is convinced people will not have the time to read or interrogate them in any detail...and frankly I have not had the time I would like. I urge elected members to read these carefully. On closer inspection the documents appear to have been written by a high school geography student; they are full of sweeping generalisations, assertions that Scottish objectives will be realised without providing any evidence, on occasions they are contradictory and much of the data is sourced from places which

bear no relation to the village of Hopeman in Moray.
The Planning Support Statement
Point 1.4 in the Statement indicates that there is
i. "no supermarket" in Hopeman and then at 1.5 suggests
ii that the development will "improve pedestrian and cycle ways and reduce travel thus providing a greener, more accessible place."
I shall refer back to both of these within my objection
Point 2.3.1 refers to the previous business being a garage would "undoubtedly attracted a high volume of traffic"; this is clear speculation. We have lived in the area for 10 years and the garage has never functioned in the time we have lived here. The volume of traffic on Forsyth Street has, however, grown dramatically in the past 3 years. This is exacerbated by the excessive development of the campsite which is out of proportion of the capacity to cope. In the near future the current Springfield estate further West along Forsyth Street will had a significant number of cars and in the short term the Tulloch development on Manse Road will add even more. It is spurious to compare traffic volumes of perhaps 15 years ago with today and this claim should be disregarded.
Point 3.1.4 Roads and Parking
8 flats are being proposed with 12 parking bays; this implies less than 2 bays per residence. It is accepted that for many people nowadays a car is a necessity for travelling outwith the community; buses go only into and out of Elgin; and once an hour. It is clear that the parking provision for the flats is inadequate; visitors to the flats will spill over into the car park of the retail store and this will result in parking on Forsyth Street or the already congested Harbour Street.
The statement refers to improved pedestrian and cycleways immediately outside the boundary...this apparently amounts to a pedestrian crossing. The roads in the surrounding area are busy, congested and are not conducive to cycling. I have cycled in many countries around the world, I ride my bike at least twice a week. I feel safer cycling in Central London than I do around Hopeman.
Point 3.1.5 Improved Pedestrian and Cycleways
A zebra crossing, immediately in front of a bus stop and bike racks for 4 cycles is tokenistic and will do nothing to promote walking in or cycling in the area. The developer clearer does not understand the responsibility they have to enhance the community in which they are building. There is no commitment to improve the pavements along Forsyth Street or build dedicated cycle paths along the road which separate cyclists from traffic; that is what must happen to promote more sustainable travel.
3.3.2 Refers to the Moray local plan of 2015 and indicates that "small shops" for "convenience" needs can be built but must not have an adverse effect on the viability of "town centres". As noted above the developer defines this store as a supermarket; not a small convenience shop and as is demonstrated in the retail planning statement will have an adverse effect on the businesses of Harbour Street which is the centre of the village. Hopeman is NOT a town.
4.2 Active Travel
Public Transport - a bus travels between Elgin and Burghead and back once an hour, residents will not get on a bus to travel 5 minutes for a pint of milk and loaf of bread and then wait another

hour to travel home. Even considering Public transport in this document is meaningless but ticks a box.
Cycling - providing a few cycle racks will not encourage people to use their bike when the roads around are narrow, congested and dangerous. Moray is littered with cycle racks which are never used; locally at Duffus Castle is a case in point.
Transport Statement
Multi-Modal/People Trip Assessment
This section is complete nonsense; national data has been applied and adjusted to identify travel demand for the retail development by "Suburban" or "Edge of Town"; neither of these are appropriate to Hopeman and consequently the date must be disregarded as flawed. Only a series of traffic surveys; conducted over an extended period of time can adequately be utilised to demonstrate the volume of through traffic which exists eg Forres to Lossiemouth. It is totally inadequate to compare the size of the village and make judgements about the traffic flows on the basis of UK wide data adjusted to Suburban criteria. Forsyth Street is a busy thoroughfare.
4.23 The map indicates the communities within 20 minute walk of the proposed retail development. If you were to find the centre of that map; this is where the existing retail outlets exist. Residents will not walk a longer distance to visit the proposed retail development; that is illogical. The store, by implication, will only attract people who drive to it thereby increasing traffic in the village even further.
4.32 The flawed multi-modal assessment apparently suggests more cycling; the journey from the village to the store is up-hill though congested roads. Harbour Street, consequence of the campsite, is often nearly impossible to cycle up because of the constant flow of cars, camper vans and caravans. Forsyth Street, as already indicated is dangerous due to onroad parking, volume and speed of through traffic as well as badly formed carriageway. Cycle racks and a "Travel Pack" will not overcome these challenges.
Public Transport
Bus timetables are totally inadequate to be utilised for any purpose than travelling into and out of Elgin. An hourly bus service will not encourage people to use public transport to shop in this store. It is designed to be a convenience store where people pop in and out for a few items; the reference to Public Transport is nonsensical and should be ignored completely.
Residential Travel Pack
This is patronising; people in Hopeman know that walking and cycling are healthier and environmentally more sustainable than driving; however the existing infrastructure needs to be improved to allow this to happen safely. A leaflet will not make the area more conducive to such travel.
Vehicular Accessibility
5.12 The loading bay will mean large lorries parked immediately opposite a bus stop generating additional noise and fumes from the engines and refrigeration units. Inevitably, given the lack of parking for the residential development the car park for the store will become full of residents and visitors cars and so shoppers will use the loading bay to "quickly" pop into the shop; which will add to congestion when the delivery lorries arrive.
5.16 "A food store should be located on a primary route....to ensure pass-by traffic can easily

access the site" Much of the statements provided indicate that the aim of the store is to provide a convenience store for the village and to promote walking, bus and cycle travel. Apparently that priority is no longer appropriate and it is now to attract passing trade who come by car.

Development Traffic

5.19 The data generated here is meaningless being based on data sources which bear no resemblance to Hopeman; the source of the analysis being survey data of towns in Suffolk, Lincolnshire, North Yorkshire, and Angus.

5.21 That a store which is designed to attract passing trade,5.16, can reduce the nett increase in traffic compared to a service station of 15 years ago is patent nonsense. The growth in through traffic of recent years resulting from the massive growth of housing in various parts of Moray, coupled with the disproportionate development of Hopeman campsite have added enormously to through traffic. In addition the Springfield development West of Forsyth Street and proposed Tulloch development on Manse Road will continue to add to traffic flows.

5.22 I contend that a full traffic survey is necessary rather than basing proposals on flawed models from towns far away from Moray where public transport is likely to be superior, road quality better and traffic speeds more cycle friendly.

Accident Review

5.23 One reported accident in the past 5 years does not indicate that the road, and especially the junction of Forsyth Street is safe. The excessive growth in traffic means that the risk of accidents continues to escalate. On road parking on Forsyth Street and often limited access and egress to Harbour Street due to residents vehicles means that there are often queues to enter harbour Street and risky manoeuvres to exit. As a cyclist I have experienced several near misses and regular experiences of cars passing close and driving at mean as they pass a parked car and come onto my side of the carriageway. A neighbour has been knocked from his cycle. The building of a store adjacent to an already congested junction; opposite to a bus stop which is next to a pedestrian crossing is a fatality awaiting to happen. I have driven along Forsyth Street at 30 mph and on more than one occasion been overtaken by cars travelling at excess of 40mph. A bus stationery at the stop will hide a pedestrian who is on the zebra crossing; cars will over take the parked bus and pedestrians will be hurt.

Summary

6.11 That the author concludes that "walking, cycling and public transport provision in the area is excellent" illustrates that this is a paper exercise by an organisation from Glasgow that has no knowledge of the location or community and basing all it's judgements on flawed adjustments to national data.

Retail Planning Statement

1.7 ..."the new Co-Op store will help to retain expenditure in Hopeman", however this is expenditure which will be going to a large national branded chain and the profits will leave the area. At present the spend goes to a butcher, pharmacy and 2 convenience stores which are locally owned.

..."will help support the vitality, viability and sustainability of the settlement by helping to reduce the need to travel." On the contrary, Harbour Street is the commercial centre of the village where all the retail provision exists; a store further North on Forsyth Street will draw trade away from the

heart of the village and threaten its vitality. Furthermore, in the Transport Statement 5.16 it explicit states that being on the main street is to encourage by pass traffic not the enter the village and so "not divert through residential streets". Clearly the aim is to draw business away from the geographic heart of the village and this will threaten its vitality.
"may also lead to more linked trips to other existing shops", this is patent nonsense; the proposed Co-op is up a hill, through congested roads and across a busy through road. Customers will not utilise all the other shops if they can get all they need in the Co-op.
2.6 The comparison with Lhanbryde is disingenuous; that village has one other convenience store and the village is of comparable size to Hopeman. Clearly there was excess demand in Lhanbryde which could be met by the Co-op. In Hopeman that is not the case, there are 2 other convenience stores, a pharmacy which also supplies items such as toiletries and cleaning materials as well of course as the butcher. The comparison is flawed. It is also interesting to note that the term is convenience store which contradicts with the Planning Support Statement indicating the lack of a supermarket. It would be helpful if the various consultants could agree on what need the business is designed to meet.
2.9 If the store "reduces the need to residents to travel to other areas" then clearly it is designed to be more than a convenience store. A convenience store does not meet the needs for a weekly shop and thereby we must infer the aim is to build a supermarket; attracting traffic as indicated above.
2.12 According to the Proposed LDP "Within a neighbourhood one unit of up to 400sqm designed to meet the day to day convenience needs of the neighbourhood shall be supported." The proposed Co-op is 372sqm and would appear to fall within that threshold; however according to the data in 3.7 there already exists 420sqm of convenience store space and so clearly the needs of the community are already being met.
3.3 Catchment area "It is not anticipated that the store would draw any trade from beyond these areas" of Cummingston and Duffus, However, as noted above the placement of the store on the main road is designed to attract by pass traffic (Transport Statement 5.16) and so clearly the intention is to attract such business, and given the paucity of public transport this will be by car journies.
3.5 Convenience Retail Expenditure, the estimate of £41 per week is not valid for our area. This national figure will be skewed upwards by city dwellers who have limited opportunity for supermarket shopping and who may daily buy food from city stores such as Tesco Metro etc. Our convenience shop per week in the area is likely to be less than half this value. Once we accept that the use of national data is flawed any estimates based on that, such as £4.85million should be ignored.
3.7 Existing Floorspace. I have not measured the stores internally but the proposition that Costcutter is four times the size of the Post Office/Convenience store is clearly nonsense. I have also spoken to one of the retailers listed in the table who indicates that their turnover is nothing like that suggested. Once again spurious data has been presented which must be discounted.
3.9 Capacity to Support New Store given that the estimates of the local convenience spend, the retail floor space of existing shops and their turnover are all wrong; it is not possible to trust the proposition that there is a gap in the market.

3.11 Given the points raised above about the flawed use of data; and our knowledge of the area, I can only conclude that the proposed retail development will serve to close existing convenience stores within the village; thereby changing to the detriment the character, vitality and viability of the heart of the village.

In conclusion; I believe the developer has engaged consultants who are using spurious national data which has been either adjusted in a flawed and misleading manner or has not been adjusted to suit local circumstances. It is apparent that all consultants are based in the Central Belt and have no knowledge of the locality whatsoever; that twice the village of Cummingston is misspelled is only more transparent evidence of this.
As I said at the outset I do not object to the site being improved appropriately but the flats and retail development will serve to add traffic in an already congested area, increase risk to pedestrians and cyclists as well as potentially harming the commercial heart of the village
Can I urge elected members to read the various statements and they shall see the paucity of the arguments contained.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic
- View affected

Comment:I [redacted] having grown up in the Hopeman Village community since the age of 5 years. I attended the Hopeman Primary School.

I spent my youth within the safety of a village, enjoying the coastline on our bikes, visiting the small local shops with my pocket money. Everyone knew you by your name, you were looked out for by your peers.

Now with so many developers who have no concern for our village just to make money. We need to make a stand to have a voice for the children, elderly, parents, small business shop owners and the village school. We do not want any more developments in our village you are destroying what the government has laid out in the Moray Council Local Development Plan to preserve our village and landscape in the Moray Council Service Level Agreement.

The planning application: 20/00474/APP
This planning application goes against the Moray Council Local Development Plan and Service Level Agreement
I object to a large retail unit to be erected as our small businesses in our village who have been serving our village for decades are family run businesses whose income relies on their local community. We DO NOT want a large retail unit from a large conglomerate business who does not think of our village just their profits. Our village shops support our village and we support them. During the COVID-19 Pandemic they have been our lifeline and have helped so many families and the vulnerable, they care about the welfare of our community.

Flooding due to drainage in the village is already poor. There has been a history of flooding from water travelling from the fields, this proposed planning will aggravate the land even more. Hear our voices of the village community no more developments.

Our quiet village is a safe haven to live we do not need more CARS, POLLUTION, NOISE, UNSOCIABLE HOURS OF A RETAIL UNIT, LOCAL RESIDENTS VIEW AFFECTED, MORE TRAFFIC, MORE PARKING, ROAD SAFETY IMPLICATIONS.

The Road safety on the proposed site at Forsyth Street is on a small Junction, this junctions view is already affected with two bus stops where school children, elderly, families use regularly, with more cars accessing the proposed retail unit and housing this is will be hazardous with lorries, loading and unloading, cars accessing the proposed retail site and housing. This will so dangerous on such a small Junction the main entrance to our village this will cause an accident.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Drainage
- Road access
- Road safety

Comment:I fear for the "Villigeness" of Hopeman being lost whith the proposed housing and commercial developement. We have two small retail shops already hich are in the middle of the village within easy reach for the older and carless. Building what is compared to the retail shops already there a large super market can only be detrimental to the area. Lastly we have a post office in the middle of our village and if they have to close it will be another great loss of amenity.

[redacted]

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Over-development of site
- Road access
- Road safety

Comment:This is a formal objection to the proposed development in Hopeman reference Planning Application Reference 20/00474/APP

The village of Hopeman is already well served by 2 convenience stores, an independent butcher and a florist, all of which contribute greatly to the character of the village, and all of which would be severely impacted by the addition of an additional supermarket. In addition to these shops, there is already a large Coop store nearby in Lossiemouth, as well as Tesco, Aldi, Lidl and Asda superstores with a 15 min drive in Elgin. As such there is clearly no requirement for this additional unit.

The businesses in the village are eligible for relief under the "small business bonus scheme", which represents a clear recognition of the need to support local business. The proposed development acts in direct opposition to this aim

The store will inevitably add to traffic within the village, as people use vehicles to travel to and from the store, and delivery trucks etc. service the store. Traffic has already been identified as a problem within and around the village, and this development would inevitably add to the problem. In addition, children attending the local Hopeman primary school would need to cross this road to and from their way to school, which would also involve significant risk.

The store and houses will increase pedestrian traffic across Forsyth Street B9040. This road is particularly busy due to being a main connection between Lossiemouth and Forres/Nairn/Inverness- once again, this represents a significant safety risk.

Please acknowledge receipt of my objection and keep me informed on developments, including rejections, re-submissions/ alterations to the plan etc.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Parking
- Road safety
- Traffic

Comment:I object strongly to the proposed development at the service station Forsyth Street.
Hopeman is a unique village due to the fantastic community spirit so why on earth is Springfield Intent on ruining what we have.
We don't need or want more housing and we certainly don't want a coop which would be devastating for our existing shops.
I am over seventy, high risk and live alone but have been overwhelmed by the kindness and care I've received from the community and
our local shops who have so kindly delivered all my needs.
A coop would create so many traffic problems in an already congested area and to cross the road would be a nightmare not to mention being opposite a bus stop! There would also be a parking issue as no doubt people would park on Forsyth Street.
Drainage would also be a concern as there has been flooding in that area in the past.
Springfield are aware that the whole village is against further development so why don't they respect our wishes and develop elsewhere.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Over-development of site
- Parking
- Precedent
- Road access

Comment:The Scottish Government approved the local development plan, which rules out development on the land and recognises that Forsyth Street should be the southern boundary of the village.

There is also no need for a Co-op as the village is already well-served in terms of shops and the addition of another would adversely affect the existing businesses.

Comments for Planning Application 20/00474/APP

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Over-development of site
- Precedent
- Road access
- Traffic

Comment:There is also no need for a Co-op as the village is already well-served in terms of shops and the addition of another would adversely affect the existing businesses.

The Scottish Government approved the local development plan, which rules out development on the land and recognises that Forsyth Street should be the southern boundary of the village.

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Precedent
- Road access
- Road safety
- Traffic

Comment:This contravenes the Local Plan for Moray - as per accepted by the Scottish Government. It would set a precedent and facilitate the totally unsuitable and continued urbanisation attempts of the land south of Forsyth Street/East Road, (B9040), by Springfield Estates.

Not withstanding the additional traffic/safety/parking/delivery/proximity to bus stops issues, the over development of the site and the drainage issues on Forsyth Street, Hopeman does not need a 4000 SQFT Retail Unit. It is well served by the existing businesses in Harbour Street, all of which would be adversely affected by a sizeable newcomer.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Over-development of site
- Road safety
- Traffic

Comment:Having been part of the Hopeman community all my life, and now residing here for over 5 years, I enjoy the village life and do not wish to see the peaceful atmosphere ruined by developers, with no concern for the communities welfare or spirit.

I strongly object to The proposed Planning Application Reference 20/00474/APP for a commercial building/flats and car parking spaces is just a stepping stone for Springfield Developers to build further housing on the southern side of the village.

The proposed Commercial Building of a Co-Operative Store will negatively impact existing businesses, who have been at the heart of the Hopeman village community for many years.

There is an ongoing drainage issue in Hopeman, which will be exacerbated by this proposed development feeding more rainwater run-off into the existing drains which are not coping with the current demand.

Overdevelopment of site. In order to maintain the status of the community in the village of Hopeman, it cannot sustain further development. The Moray Council and the Scottish Government

have both supported and approved the new Local Development Plans, as reported "no further development beyond the identified sites at Manse Road and the homes currently being built at Forsyth Street in Hopeman, will be supported by Moray Council, who have said it has reached the limits of its "physical" growth. The Scottish Government has backed this, saying it does not recommend Hopeman is included as a tertiary growth area."

The Road Access will cause difficulty for drivers, increasing the opportunity for serious accidents. The increased traffic caused by the proposed development would have a serious impact on our community in Hopeman, creating opportunities for Road Traffic Accidents.

Hopeman does not have sufficient public transport links to sustain a development of flats, with limited parking.

With kind regards,

[redacted]

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]in

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I feel strongly that this development would ruin our village. Hopeman has enough and would be devastating for our local shops. Yours sincerely [redacted]

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Over-development of site
- Poor design
- Road safety
- Traffic

Comment:The developer's proposed use is primarily retail and residential with only a token business unit. It therefore conflicts with the site's Business Activities designation in the current and proposed Local Plans.
Apart from being contrary to the Local Plan the residential element of the development is particularly unsuited to this site. The proposed flats are "shoe horned" into the rear of the site overlooking car parking and the rear of the proposed retail unit and its service yard. The flats have no frontage to a public road and share their access with the proposed retail and business units. Virtually no open space is proposed for the residents' own use. Overall the flats appear cramped and vulnerable and have very limited outlook, privacy and amenity. Residents of affordable housing surely deserve better than this.
The developer has not made any proposals for mitigating the risks to pedestrian shoppers crossing Forsyth Street to access the proposed development. The majority of shoppers on foot must cross the busy road close to Forsyth Street's junction with Harbour St and Inverugie Road. The situation would be exacerbated if, as is proposed delivery lorries are permitted to park in front of the retail unit thereby restricting visibility for vehicles leaving Inverugie Road. As a minimum a light controlled pedestrian crossing should be provided.
Servicing the retail unit from the front precludes the future provision of a footway/cycleway across the site frontage as is proposed in the Proposed Local Plan 2020.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Lack of landscaping
- Litter
- Noise
- Parking
- Precedent
- Road access
- Road safety
- Traffic

Comment:I object to the erection of a co- op at the above site for the following reasons.

1. The Scale of a proposed development outwith the established centre of the village would cause significant harm to the viability of the established shops, one who already sells Co- op foods.

A Co- op supermarket would undoubtedly finish off the present shops leaving Harbour street with derelict, boarded up shops which would be an eyesore for residents and visitors.

Evidence of this can be found in Elgin and many more towns where out of town supermarkets have been detrimental to the High Street.

2. We have a severe problem with seagulls in the area and as is the case at the Lossiemouth Co-op seagulls attack the people and forage and remove rubbish from the bins causing litter and an eyesore.

3. The proposed site of the store is only a few yards from a crossroads. Already Forsyth Street is a very busy road with poor visibility exiting from Inverugie Rd and Harbour St onto Forsyth St.

At present there are cars parked outside residential properties on Forsyth St. and you cannot get past the bus when it is stopped opposite the garage.

This proposal would need a traffic impact study.

4.The established village is predominately to the North of Forsyth St and there is no precedence of a retail outlet to the south of the village which would entail residents crossing a busy main road. There is no safe crossing places near the proposed store location.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

N[redacted]

A[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Drainage
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Road safety
- Traffic

Comment:The village already has 2 local shops that adequately meet the needs of the village

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Drainage
- Height of proposed development
- Litter
- Loss of privacy (being overlooked)
- Noise
- Parking
- Road access
- Road safety
- Traffic
- View affected

Comment:While the site may need tidied there is no present need for a further retail outlet . We are already well served by shops which have supported the village over a number of years and no more so than at the present time. If a shop was to be built then this would impact on road safety especially in such close proximity to a cross roads and bus stop. With the building of 22 new houses in progress and the possibility of the Manse road development the village does not require more housing . There have already been issues with drainage /sewerage and the system would appear to be operating at maximum capacity.

Comments for Planning Application 20/00474/APP

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Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Litter
- Noise
- Parking
- Road safety
- Traffic

Comment:The alterations do not address the issues raised by opening a retail unit on the proposed site . There will still be difficulties regarding road traffic safety from deliveries and users not to mention noise at unsocial hours and debris generated .

There is no need for further retail outlets within our already well served community.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Height of proposed development
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Poor design
- Precedent
- Reduction of natural light
- Road access
- Road safety
- Traffic
- View affected

Comment:Traffic and Parking:

Over the last few years, the Hopeman - Burghead road has noticeably become much busier with traffic in both directions from cars, vans and heavy goods vehicles. It is also noticeable that the 30 mph speed limit is not always adhered to by all motorists, which would create an additional safety risk if the volume of traffic were to increase. The building of these flats and a Coop on Forsyth Street would certainly increase the volume of traffic through Hopeman.

More traffic in Hopeman village area would be expected to create more pollution, more speeding and road accidents and poorer health for residents, particularly those with respiratory conditions.

Considering the current Covid 19 situation and breathing issues associated with this illness, one would expect every effort to be made to avoid exacerbating this situation.

In particular, the development of a new Coop will only add to the number of heavy goods vehicles and delivery vans travelling through the village with supplies for the Coop. This, of course, will create more wear and tear on the roads and the cost of repairing pot holes etc will fall to Moray Council, which is understandably, trying to reduce its costs generally and in addition, the Covid 19 situation will now have created additional costs and financial difficulties for the Council.

There is currently building taking place in Hopeman for 22 houses on Forsyth Street, yet to be completed, and it is already clear that these properties will incur additional traffic to the village. It is reasonable to expect even more parking on the main street from new residents' vehicles, visitors to residents as well as delivery vans and HGVs during the building process, in addition to current on street parking around the Harbour Road junction, which is already busy at certain times of the day. Overtaking of cars currently parked along Harbour Street is not always completed with due care to the detriment of other drivers, cyclists and pedestrians and can only be expected to be made worse by any further development of flats and Coop supermarket development.

As both a car driver and cyclist myself, I can appreciate both perspectives to these means of travel. Parked cars are currently a hazard for cyclists where impatient drivers often try to overtake in too small a space, risking lives. At present, there is enough traffic travelling through the Hopeman area on a daily basis as well as vehicles parked along Forsyth Street without any further traffic being introduced through a housing and supermarket development.
The Scottish Government is trying to promote healthier lifestyles for the general population and increasing the amount of traffic this development would incur would adversely affect both the safety of pedestrians and cyclists as well as the health of residents from increased traffic pollution.

Tourism:
Normally, a significant number of visitors arrive in Hopeman through spring, summer and autumn and this is a welcome contribution to the economy within the village and surrounding areas. Many visitors use the camping and caravan site in Hopeman as well as holiday homes in Hopeman village and surrounding areas. Inevitably the volume of traffic in and out of Hopeman as well as in Harbour Street and its junction with Forsyth Street increases accordingly. Further development of flats and a Coop supermarket on the old service station site would significantly add to traffic congestion in the immediate vicinity of Harbour Street as well as throughout Hopeman and could potentially jeopardise tourism within the area if visitors were put off coming to such a busy, congested place. The current character of Hopeman will be changed by such a development on this site and it would no longer appear a lovely seaside village that visitors have come to love.

Infrastructure:
Development of flats on this site would clearly increase the population of Hopeman; housing single persons, couples and families with school age children. This could have implications for availability

of school places at the local primary school and secondary schools.

In addition, many young people continue to live at home once they leave school and it is not uncommon to have more than 2 cars in some households. This inevitably would adversely contribute to the number of vehicles travelling to, from and within the village.

For the reasons itemised above, this proposed development would be detrimental to the village of Hopeman and the local area.

If the Scottish Government is serious about promoting healthy living by encouraging people to exercise more through walking and cycling and providing safe roads and areas to do this any further housing development and retail development in Hopeman would not support this philosophy.

Social Care is also a priority in the Scottish Government's policy and a small development on the old garage site only, to support some form of sheltered housing accommodation for elderly residents in the form of bungalows, would be more appropriate and current shopping services in Hopeman would adequately suffice.

For the reasons I have submitted above, I strongly object to this housing and shopping development and planning application.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Litter
- Noise
- Over-development of site
- Parking
- Road safety
- Traffic

Comment:Having considered the information provided in the Retail Planning Statement, Planning Support Statement, Transport Statement and drawings there would appear to be inconsistencies in the argument for the need for a Co-op retail store in Hopeman. The Transport Statement is generic in its wording and much of the information is inappropriate, does not apply to Hopeman and the surrounding area and the conclusions are not valid.

The proposal argues the case for the need for a Co-op convenience retail store to supplement the day to day convenience needs of the residents of Hopeman, Cummingston and Duffus. The report claims that this will have no impact on the existing retail food shops in Hopeman and justifies this retail development by comparing Hopeman with Lhanbryde, Forres and Lossiemouth.

This is an unfair comparison. Hopeman is a small village with existing successful retail shops .

- The Coop in Lhanbryde competes with one other small convenience store
- The new Co-op in Forres is on the main Grantown road on the edge of a new very large Springfield housing development
- The Co-op in Lossiemouth is on the main road in the middle of a large housing estate and next to a secondary school and pupils visit the Co-op at lunchtime. A considerable amount of litter is created and there is an issue with seagulls as a result.

The report and associated documents highlight the convenience aspect this new retail development would offer and from the information provided this store will effectively change the shopping and travel habits of the residents in Hopeman, Cummingston and Duffus.
It seems that the residents of Hopeman, Cummingston and Duffus will have no need to travel every day to Elgin and Forres for everyday items. I can assure that there is no need to go to Elgin or Forres every day as the current shops in Hopeman provide this convenience aspect on a daily basis. Most people will go to Elgin, Forres and even Nairn to do a weekly shop since the supermarkets are much bigger and they can also visit other retail outlets.
Elderly people enjoy a visit to Elgin on the bus to do shopping at Tesco as the stop is outside the shop and they may meet their friends as a social activity as well.
There is one bus from Elgin to Burghead which travels through Hopeman once an hour. It is unrealistic to anticipate that any Hopeman residents will walk uphill to a bus stop which is one or two stops away from the proposed Coop to buy a pint of milk and a loaf of bread and then wait three quarters of an hour for the bus back again.
With reference to particular areas of the Retail Planning Statement:
"1.2 - The application seeks to introduce a new and modern convenience retail store which will be occupied by the Coop who wish to secure a presence in Hopeman to supplement their existing presence across Moray Council area, which includes stores at Forres, Lossiemouth and Lhanbryde."
Hopeman is a sea-side, previously fishing, village. What once was a service station has not been functional for certainly more than 10 years since I have lived in the area and there was less traffic on the road then. Any business then would have been less busy than the proposed activity associated with a new retail Coop, 8 flats, 2 industrial units and 37 parking spaces.
Hopeman has its own particular character and is well served by its local food shops described in the planning. These are the Costcutter grocery store, W Reid Butcher, Duthie Pharmacy and Hopeman Post Office which is also a grocery, not mentioned in 3.6 of the planning document. The two grocery shops are open 7 days a week.
The current shops in Hopeman adequately provide convenience shopping on a daily basis for the residents of Hopeman and Cummingston.
"1.3 The planning application states "...this development will deliver a very positive new contribution to the streetscape"
This development is proposed on the main road through Hopeman is close to the main junction from Forsyth Street onto Harbour Street. This is often a busy junction leading to the main road to the village. There will be a layby for HGV vehicles created on the main road for deliveries outside the store just before this junction and opposite the bus stop. A pedestrian crossing is to be created in front of the bus stop and this would suggest a serious safety issue, especially if the bus stops for passengers to alight, with cars overtaking the bus and approaching a pedestrian crossing almost immediately. I do not agree with the conclusions in 6.13 of the Transport Statement which says the development will not compromise the safety or efficiency of existing road users.
- Modern buildings are not in keeping with the character of the village of Hopeman
- More delivery HGVs travelling on this road add to current levels of increasing traffic, create more noise for residents which may also be at unsociable hours and add to the wear and tear of the

road surfaces which the cost of repairing will fall on the tax payers of Moray /Hopeman and Cummingston.
- More traffic means less safe for cyclists.
- This retail development will contribute to further congestion in this area of the village.
Retail statement "3.11 The Coop will address an existing gap in the convenience retail offer in Hopeman".
I can't commend the shops in Hopeman enough for the service they provide on a day to day basis. They use local suppliers to ensure they are well stocked with fresh food. They were fantastic during the lockdown period.
In addition, as a result of the Covid 19 pandemic, people's shopping habits have changed and more people are choosing online shopping for their food supplies. So, probably less people are travelling to Elgin and Forres for food supplies now anyway and reducing their carbon footprint.
The current local shops have adequate supplies and I am not sure what gap in convenience foods the proposed Co-op is expecting to provide.
Data is presented in the report suggesting that the national average convenience retail per person is £2136 annually. This equates to £41 per person each week. For some people this will be their weekly shop at a supermarket per person and not odds and ends when they run out of milk etc, so it is difficult to see how the data presented in the report is feasible.
Having read the transport statement, I fail to see how the information presented here can conclude that the travel habits of the people of Hopeman, Cummingston and Duffus will be significantly changed by the provision of a Coop convenience retail store on Forsyth street by encouraging more walking and cycling to the Coop, which in fact is further away for most residents than the current shops in the village.
It seems that the provision of cycle hoops to park bikes at the Coop will encourage people to cycle more within the village and especially to the Co-op.
As I described in my previous objection and contrary to statements in the Transport Statement, cycling along Forsyth Street is not a safe activity for these reasons:
- Vehicles being driven too fast
- The road can be busy with traffic of a variety of vehicles
- The road can be like an obstacle course with the number of vehicles parked along the road
- Vehicles overtake cyclists and other vehicles at inappropriate times
- Poor consideration for cyclists
- Pot holes/ uneven surfaces on the road making cycling dangerous
- In winter in Hopeman, daylight hours are 8.30 -3.30, the weather is cold, wet, raining, snowing and icy. These are not conducive for people to take to their bikes.
People will not cycle to a Co-op for convenience foods or their weekly shop. Most people walk or cycle for recreation on the railway line.
Planning Statement 3.11 " it is our considered opinion that the proposed store.....reducing the need for residents to travel to more remote locations by car in order to satisfy their day to day convenience shopping needs"
Which remote locations are we having to travel to?
There are too many inconsistencies, assumptions and generic statements made in the Planning

and Transport Statements to highlight in this objection and it would appear that information and data has been collated by someone who is unfamiliar with the location of the area.

[redacted]

Economy, Environment and Finance
Moray Council
PO Box
6760
ELGIN
Moray
IV30 1BX

28 May 2020

For the attention of: Teresa Ruggeri

Systems Technical Assistant

PLANNING APPLICATION REFERENCE NUMBER 20/00474/A

Dear Madam,

I write in connection with the above planning application. I have examined the plans and wish to object strongly to this development.

My main objection is that the access and parking of the proposed Co op is directly opposite my drive which would be considered a safety hazard for getting in and out of the drive and for visitors' parking. The access is very near the Harbour Street junction and opposite a bus stop, which is used as the school pick up and drop off point twice a day, this already causes congestion on Forsyth Street.

I also have concerns about noise, especially with early morning lorry deliveries. Hopeman already has two convenience stores, which is ample and introducing a new, bigger store will have a detrimental effect on the village. The ground is designated in the local plan as industrial so should not now be considered for housing or retail. Forsyth Street also has a very inadequate drainage system outside this area which is prone to flooding outside my house, this should also be taken into consideration.

Yours faithfully,

[redacted]

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Community Council/Association Consult
- Contrary to Local Plan
- Parking
- Procedures not followed correctly
- Road access
- Road safety
- Traffic

Comment:It seems suspicious that a developer who has long been trying to fully develop to the south of Hopeman brings forward yet another plan at a time which may allow it to circumvent the normal planning process during this current pandemic. Our existing retail infrastructure within the village has royally served the whole village for many years and has done so particular well during these recent weeks. I believe many of the older residents would have suffered considerable troubles had they not been there for them. They / we do not need any further general retail outlets, which can only serve to threaten their livelihood, unless like Springfield you believe that further development to the south of Hopeman is desirable. A position which has been rejected on a number of occasions in the past by both the community and the Council and should now be maintained.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Civic Group

Stance: Customer objects to the Planning Application

Comment Reasons:

- Community Council/Association Consult
- Contrary to Local Plan
- Drainage
- Inadequate plans
- Inappropriate materials/finishes
- Litter
- Loss of privacy (being overlooked)
- Noise
- Parking
- Permitted Development
- Poor design
- Road access
- Road safety
- Traffic
- View affected

Comment:Our written objection [redacted] was hand delivered to your main office yesterday and marked for the attention of L Macdonald, Case Officer. If you require any additional information or would prefer an electronic copy sent please let us know

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]n

Comment Details

Commenter Type: Civic Group

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Please note that on behalf of Hopeman Community Association an updated objection to this application will be lodged in writing at the Council HQ tomorrow 16th Aug. This states the view of the Assoications on the amendments submitted by SREM. Grateful if you could confirm safe receipt of this letter.

Many thanks

[redacted]

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Poor design
- Road safety
- Traffic

Comment:This application will destroy the historical aspect of this friendly village. The proposed construction is totally against the outlook of inhabitants and will affect the traffic volume into and from the village.

I totally refute the application.

Comments for Planning Application 20/00474/APP

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Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Activity at unsociable hours/behaviour
- Affecting natural environment
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- Drainage
- Litter
- Noise
- Road access
- Road safety
- Traffic

Comment:Object on numerous grounds, one of which is the decision deadline being set during this national crisis. This demonstrates a complete and utter lack of regard for the views of this community. At a time when we are doing our best to support the most vulnerable and when we are prevented from holding appropriate events to discuss the implications and consequences of a development of this nature. We are dismayed at the underhand methods being employed to fulfil developer aspirations ahead of local community concerns. We are forced to ask ourselves what other surreptitious actions are being planned without our knowledge. We are deeply disappointed that this is being entertained at a time when our focus of attention has been diverted by our efforts to support one another and co-operate with government guidance.
Another consideration of great concern is that any increase in the provision of housing and services throughout the area has a significant impact on the provision of health services. The precarious nature of the status of Dr Gray's Hospital has implications for the entire community. How can any future developments that increase population numbers be considered without resolving the issue of access to one of the most important services - as demonstrated throughout this crisis?

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Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:I do not think that this small village has the infrastructure to support such expansion and there are major issues regarding increased traffic and flood dangers

Comments for Planning Application 20/00474/APP

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- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Inappropriate materials/finishes
- Parking
- Poor design
- Road access
- Road safety
- Traffic

Comment:1. Proposal is at variance of recently approved local plan.

2. Proposal to build in an area of known flooding with issues over tie in of the drainage from the development to public system.

3. Roofs and walls of proposed buildings are at variance with immediate residential homes which are built of Scottish stone with slate roofs. In addition many are dormer bungalows and proposals are to create significantly higher buildings.

4. Location on Forsyth Street is likely to cause traffic issues. Road is narrow and the proposed development is very close to Harbour Street with its access to the harbour and local facilities. Current local residents have few off street parking options, so park on Forsyth Street thus further restricting traffic flow on this already narrow and busy road.

5. No need for further retail or starter units in Hopeman. Local shops (Costcutter, W. Reid's butchers, Premier/Hopeman PO, Duthie Pharmacy) have provided exemplary service during the Covid-19 pandemic to the local community and to actively undermine them by the development of a CoOp is wholly inappropriate.

6. Deliveries to service the CoOp are likely to be at unsocial hours disrupting local residents and traffic.

Comments for Planning Application 20/00474/APP

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6. Deliveries to service the CoOp are likely to be at unsocial hours disrupting local residents and traffic.

2010047 4/APP

29 MAY 2020

[redacted]

25th MAY 2020

TO WHOM IT MAY CONCERN

RE. SPRINGFIELD REAL ESTATE MANAGMENT LTD

FOR PLANNING APPLICATION FOR RETAIL UNIT AND TWO BLOCKS OF 4 FLATS AT FORSYTH STREET HOPEMAN

I VERY MUCH WISH TO OBJECT, IT WOULD BE COMPLETELY OUT OF CHRACTER TO OUR VILLAGE PLUS A BIG, BIG, PLUS .. THE DEMAGE IT WOULD DO TO OUR OWN SHOPS IN THE VILLAGE

FORTY YEARS I'VE LIVED IN HOPEMAN, I DO NOT WISH TO SEE THIS ... ON MY WAY INTO HOPEMAN. AND WE HAVE ALWAYS HAD MORE THAN ENOUGH WITH THE SHOPS WE HAVE.

THANK YOU VERY MUCH.! I WOULD LIKE THIS OBJECTION NOTIFIED ON THE PUBLIC LIST OF OBJECTIONS.

YOURS FAITHFULLY [redacted]

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Road access
- Road safety
- Traffic

Comment:This development is proposed to be built very close to a very busy junction, which is already a dangerous place to cross without a crossing or traffic lights due to vehicles parked on Forsyth and Harbour street close to that junction. Also it is a very busy bus stop across the road with children using it to go to school. Parking spaces planned are not enough to avoid people using Forsyth street to go to the shop. Besides, Hopeman is well supplied with existing retail units, owners of which were great support during the pandemic, and hardly needs unnecessary competition and traffic. Units like this are to be in the interests of local community, not to create more business for builders. I still have not seen any plans of Springfield's owners to create a playground, park or green space for our village.

[redacted]

- 4 JUN 2020

[redacted]

Mary Council,
Manager, Development & Building
Standards

28/05/2020

Dear Sir

P/Application: 20/00474/APP +
20/00480/APP + 20/00478/APP + 20/00363/APP
20/00353/APP + 20/00602

Please give full protection to
all wildlife: flora & fauna on each
site including moles

No demolition to take place unless
absolutely certain that bats are
not put at risk or nesting birds

Applicants should be reduced
to plant a tree(s) and wild flowers
wherever possible

Yours faithfully

[redacted]

Stay safe stay well

[redacted]

12 AUG 2020

[redacted]

MANAGER 10/08/2020
MANAGEMENT & BUILDING STANDARDS
ECONOMIC GROWTH & DEVELOPMENT
SDCC

PLANNING APPLICATIONS 20/00343/APP + 20/00795/APP + 20/00904/APP + 20/00756/APP + 20/00474/APP + 20/00905/APP + 20/00939/APP.

AGAIN TO REQUEST FULL PROTECTION FOR ALL WILDLIFE FLORA & FAUNA ON EACH OF THE SITES. BATS HEDGEHOGS MOLES NESTING BIRDS MIGRANTS COME TO MIND. BUTTERFLIES & MOTHS

IT IS NOTED THAT TWO APPLICATIONS INVOLVE THE DEMOLITION OF PREMISES WHICH CANNOT TAKE PLACE UNTIL IT IS ESTABLISHED THAT THERE ARE NO BATS PRESENT OR THEY WORK CANNOT OUT WOULD

II

PUT THEM AT RISK. AS YOU ARE AWARE NO DOUBT IT IS AT THIS TIME OF YEAR WHEN MATING TAKES PLACE

LANDSCAPING WHICH INVOLVES SHOULD BE TO THE BENEFIT OF BUTTERFLIES & MOTHS

20/00205/APP THIS APPLICATION A MIX OF RESIDENTIAL UNITS. AFFORDABLE HOUSING AND CARE UNITS. MAY IT BE TRUE THAT THE SOCIAL HOUSING WILL BE TO THE SAME STANDARD AS THE OTHER THAT ITS OCCUPANTS WILL NOT BE SEGREGATED AN IN TECHNICAL PART OF DEVELOPMENT WITH COMMON ENTRY?

Yours faithfully

[redacted]

STAY SAFE STAY WELL

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Litter
- Noise
- Over-development of site
- Road safety

Comment:Retail development will have detrimental effect on existing businesses.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment:Would like to keep open spaces

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As a frequent visitor to the village I see this as an improvement to the village for both locals and passing people.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Drainage
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:I OBJECT to this application for the following reasons: overdevelopment, road access, road safety, traffic.

I feel like there is already simply too much going on around that location with a constant flow of traffic using the road, a large number of houses, a bowling club and a very busy builders main office/yard having lots of construction vehicles coming and going merely yards away from the opposed new site location which makes me assume that people may be in danger trying to cross a main road to access a wrongly positioned retail unit or residential building.

The Forsyth Street road is already a heavily congested road without a new junction being added making the possibility of road accidents even higher with so many openings within such a short distance of each other (Harbour Street, Inverugie Road, opposed new junction).

I also am extremely concerned about the impact a large chain retail business would have on my place of work. I work in a shop within the village and I know already that a Co-op arriving would cripple us which could lead to cut backs or layoffs, in result of this I could lose my job which would affect my life horribly.

In conclusion, I am firmly against any development on the suggested site as I believe that the location is already overcrowded, the road is overused and a new plot there could potentially foreclose my place of work leaving me without any way of feeding myself or paying my bills.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
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- Drainage
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I also am extremely concerned about the impact a large chain retail business would have on my place of work. I work in a shop within the village and I know already that a Co-op arriving would cripple us which could lead to cut backs or layoffs, in result of this I could lose my job which would affect my life horribly.

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Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Loss of privacy (being overlooked)
- Over-development of site

Comment:As a regular visitor to Hopeman I have watched this application with interest. The existing site requires significant improvement. The application for the affordable housing is commendable, Hopeman has little housing of this type and I suspect that the majority of any objections to the application would be thinly disguised 'nimby' motivation. The small industrial unit would look far better than the existing garage/workshop and would not pose any environmental or social disruption. Having visited the village there are probably enough shops and I doubt that another would be commercially viable. In summary, the affordable housing is needed, the industrial unit would add value to the area with potential for light industrial activity with additional employment opportunities. The shop is probably an unnecessary addition to the area and could be deleted from the application with little or no negative impact.

Comments for Planning Application 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I don't have a problem at all with this planning application . Looked at the plans and the flats look fine and a retail unit in Hopeman will be welcomed whatever it might be - like it or not Hopeman is growing and it's probably about time that it was brought into the 21st Century regarding retail offerings . My fear is that the town becomes a 'Community' where only the elderly and well off financially feel valued and are welcome - elitist in other words !

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment:I think the flats and retail unit will be a positive for Hopeman.

The flats will allow young families to be able to afford to live in here. Even though the other Springfield houses are being built for this purpose I think being able to home 4 other families in such a beautiful village is a positive!

The retail unit would also be a good idea, if it was a bigger shop I feel people would use it and take advantage as we would have a lot more choice locally. I think during lockdown a lot of people have noticed that going up to Elgin for shopping once a week is plenty. Having a shop in hopeman with a good variety of products will mean less trips up to big supermarkets which means more money coming into the village but also I think it's safe to say we would all use a lot less petrol, which not only would save us money but would be better for the environment!

If the retail unit were to be a new style of restaurant, I feel this would also increase the amount of people who travel to hopeman for food, it's been proven in many other communities in moray that if a business provide a good service people will be willing to travel for it.

A request I have for the community would be to encourage young people to voice their opinion more on these matters. Getting the same opinions from the same people all the time will not allow the village to evolve. The newer generation are the ones who will be here to see Hopeman develop and I think it's only fair that the young people feel comfortable enough to voice their opinions.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:More affordable housing in Hopeman would allow young people to actually be able to afford to buy property in the village. A new business would encourage more people to keep their patronage in Hopeman - especially during a time where people are learning that constant visits to the big supermarkets are not necessary. More people moving into the village allows for a greater customer base for our fantastic local businesses. It is vital that Hopeman moves with the times if we are to stay an engaged community. By refusing to build more affordable housing and refusing to adapt to the modern era, we run the risk of quickly becoming a village that only values its elderly and rich residents.

- 8 JUN 2020

[redacted]

27th May 2020

Dear Sir

I am writing to you in my capacity as sole proprietor of [redacted] in Hopeman, and specifically on the matter of the recent application by Springfield Real Estates Management Ltd (Ref. No 20/00474/APP) to demolish existing service station and garage, erect retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman, Elgin, Moray, IV30 5ST.

I have reviewed the application and supporting documentation on the Moray Council website planning pages and would hereby request that my objection to the proposed development is noted and recorded. My objections are raised both as a local retailer, and, as a resident of Hopeman and are detailed under the following headings.

Existing local retailers

Hopeman is a small 'tight knit' community that relies heavily on its local shops, the owners of which, in turn, make a living from this modest customer base. I consider this arrangement as a delicate balance which can at times be quite dependant on season. Hopeman retailers consist in the main of two convenience stores, a butcher, a chemist, an ice cream parlour, a café, a gift shop selling teas and coffees and [redacted] florist shop. All our businesses rely on the fact that we have enough local custom to make a living and that the closest supermarkets in Lossiemouth and Elgin are still far enough away to maintain sufficient footfall through our doors. As I understand things, the proposed retail outlet contained within 20/00474/APP will be a CO-OP of 4000 square feet. Although hardly the size of a supermarket, this retail unit will be of a size far in excess of Hopeman's current needs. It will offer all the produce currently sold by our own shops and will most certainly benefit from late opening hours and the ability to offer cheaper produce through the use of 'loss leader' deals. I cannot stress strongly enough how quickly the effects will be felt on local businesses and I believe that some of us will struggle to continue to remain profitable. I strongly object to the proposed development as I feel that little or no consideration has been given to the existing, and long standing, retail businesses of Hopeman and the impact to trade that it will cause. This proposal is disproportionate to the needs of the population of Hopeman and in many ways I have to suspect that its inclusion is perhaps not as innocent as first meets the eye.

Local Development Plan

I note that application 20/00474/APP is a deviation from the established 2020 local plan. In the 2015 local plan, 25 houses have already been allocated in site known as 'R1' with a further 30 in longer term designation. I feel that the requirement to provide any further housing units per local plan will be serviced by R1 and in the future, the longer term designation. I also feel therefore, that the proposed development would be an unnecessary and disproportionate addition to the Hopeman housing stock and represent a very real threat to local retail businesses whereby some could be forced to close their doors. During previous enquiries into the designation and utilisation of land to the South of Forsyth Street and East Road, the council stated that Hopeman had had significant growth in recent years and it was intended to limit growth here over the new local plan period, to preserve its character. I am of the opinion that the already approved development of land designated as 'R1' should represent that slowdown in growth to an acceptable level. 20/00474/APP is an acceleration of growth disproportionate to the needs of the village.

I note the comments of a previously appointed recorder on the matter of further development to the South of Forsyth Street:-

"My preferred option – comprising a period of consolidation whilst exploring limited expansion opportunities to the east or west in due course, if and when feasible - would have the benefit of retaining the B9040 road as an effective southern boundary for new development in Hopeman".

Drainage Infrastructure

Many Hopeman residents have reported issues with drains and sewage infrastructure around the village. Beach Terrace in particular has experienced surges of drain water and raw sewage. This has been a long standing problem, and with the drains containing both waste water and sewage, it has become quite clear that a health hazard exists and that the current drainage infrastructure is at or over full capacity. The additional waste created by any further development utilising the existing system would result in a complete overload and only add to the current problems.

Roads Infrastructure

Hopeman itself experiences problems with traffic congestion in all main thoroughfares and roads leading from them. Harbour Street in particular has become problematic in recent years with many local households now owning two vehicles or more. Traffic flow from outside the village continues to increase as visitors travel to use our beaches, coastal paths, harbour amenities and caravan park.

Residents have previously expressed their concern to Hopeman Community Association (HCA) about the increase in traffic throughout the village that the current development of 22 affordable homes will bring. There is also a real concern over traffic and pedestrian safety on Forsyth Street. Currently, with no housing to the South of the village there has been little thought given to the matter of pedestrian safety for persons crossing Forsyth street in either direction. Concerns have been raised with HCA on both safety grounds and concerns over the increased volume of traffic. An additional junction servicing a housing development with retail units off Forsyth Street will only create a hazard for traffic on an already busy road and endanger the lives of pedestrians.

Setting a Precedent

Throughout recent preceding's concerning the now underway erection of 22 affordable houses, it was made abundantly clear by the community of Hopeman that that particular application was seen as a 'first step' by the developer in preparing to develop all the land to the South of the village. I find it hard to believe that this is not the case given this latest application from the same developer following so quickly from the last. The fact that 20/00474/APP contains a sizeable retail outlet within, which is I feel, larger than the current needs of the village, only strengthens those fears. There continues to be an objection of the strongest nature from this community to any development whatsoever to the South of the village boundary formed by East Road and Forsyth Street. In expressing my real concerns for the consequences of 20/00474/APP, I expect that any larger development that may follow, would only increase all the risks and dangers previously noted by some magnitude.

In summary, the village of Hopeman does not have the necessary infrastructure to support any further development and its business community are certainly not in a position to have to deal with unnecessary competition placed on their doorstep which threatens their very existence and the 'heartbeat' of the village.

Yours Sincerely

[redacted]

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Parking
- Road safety
- Traffic

Comment:I strongly object to this development as the village of Hopeman is well served by excellent retail outlets, locally owned and run independent businesses, all of which would be put at risk by this development. Other businesses in the area would also likely be adversely affected. It would greatly increase The traffic on Forsyth Street, which is already becoming very busy and increase the likelihood of accidents on the road by adding another access point.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Drainage
- Litter
- Over-development of site
- Road access
- Road safety
- Traffic

Comment:The village does not need an additional shop. The Butchers and existing shops would be severely impacted on.

The area already suffers from severe flooding and this will only make the problem worse.

The Harbour Street/Forsyth Street junction is already bad and extra traffic will only make matters worse.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Precedent
- Road safety
- Traffic

Comment:Wish to voice our serious concerns and objections about this retail unit / industrial unit planning application (20/00474/APP), of which the highest are (1) negative impact this would have on our local businesses, potentially leading to all or some closures, (2) road safety and traffic volumes, and (3) negative impact on the village.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site
- Parking
- Road safety
- Traffic

Comment:We have enough shops in the village, Hopeman road is busy and with the doubling of the size of the caravan site and the new outdoor catering on the site, traffic around Hopeman is getting to a dangerous level, last Sunday we had over 500 visitors to the village , all parking was full, blocking the harbour for emergency services.to build more houses when it takes 4 weeks to get a doctors appointment, I am against all new building in Hopeman

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Drainage
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Precedent
- Road access
- Road safety
- Smell
- Traffic

Comment:The village does not require further commercial shops we are well catered for as seen by the local retailers and their sterling service in the recent lock down.

We are a small community and wish to stay that way any further expansion retail or residential would be detrimental to our lovely village. I object completely to this application

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Drainage
- Height of proposed development
- Inappropriate materials/finishes
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Permitted Development
- Precedent
- Road access
- Road safety
- Traffic

Comment:I object on the grounds of :

1. Safety issue, there is parking designated on the main road which is busy already with residents cars already having to park there due to the current housing has no dedicated driveway. This is how the village is set up and this will cause more traffic and stoping which in turn will cause danger to pedestrians, especially as there are no pavements on that side of the road and the other side of the road has very narrow pavements.

This is a very busy junction and bus stop and the increase in traffic will only make this worse. It is encouraging pedestrians to cross the very busy road with no crossing available.

The retail units do not serve the community as there are already sufficient shops in the village. Any supermarket coming into the community would close existing services causing loss of income to

the proprietors.
2. This inappropriate development as it is not in keeping with the current housing which is all period housing. The other springfield development has shown that the materials and finishes are not in keeping with the existing housing in the area. This development has proposed flats, these will block light in the opposite houses. There are no flats on forsyth street and it sets a precedent for the future.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Community Council/Association Consult

Comment:I object to the proposed development on the basis that the village is adequately serviced by the current number of shops located within the village. This development would seriously impact these already established businesses.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate materials/finishes
- Litter
- Noise
- Over-development of site
- Parking
- Poor design
- Road access
- Road safety
- Traffic

Comment:I strongly object to this planning application for a number of reasons, firstly on a road safety aspect, Forsyth Street is already a particularly busy road and with no traffic calming measures in place vehicles regularly break the speed limit, this proposed retail outlet and flats would only increase this behaviour therefore increasing the likelihood of an accident. We have already experienced a great deal of disruption with Springfields ongoing development.

The location of the planned development would also exacerbate the already hazardous area at the crossroads between Harbour Street and Inverugie Road.

Secondly is the construction of more residential flats necessary in Hopeman where services to the village and surrounding villages are being restricted anyway such as the local GP surgeries in Hopeman and Burghead, the limited public transport services which have already been reduced.

Thirdly Springfields generic construction design is not in keeping with small traditional coastal villages, there housing design is not sympathetic to the surrounding area and does not stand the test of time, this is clear to see in the many housing estates constructed by Springfield in Moray and will certainly show in the years to come.

Finally from the discussions I have had in the community with local people it is the consensus is

not for the benefit of Hopeman but for Springfield's profits and certainly not that of the local businesses already established here.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Over-development of site

Comment:I would like to raise my concerns about the proposed planning for a retail unit and two blocks of flats in Hopeman.

It seems to me that the private developers see Hopeman as only a potential to make a large profit and turn Hopeman into a town rather than a village.

There has been no discussion about the proposed planning application which at this very difficult time is not appropriate.

The shops that we have in Hopeman have been a lifeline to us all and served us well when shopping has become very difficult and stressful.
They have stepped up to the challenge by making sure their shops are well stocked for our needs and delivering our groceries to our door at personal risk to them and giving us their valuable time.

How could I possibly agree to a new retail unit that would destroy their livelihoods.

Profit alone does not sit well for our community.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Litter
- Road access
- Road safety
- Traffic

Comment:This application is against the Local Development Plan which has been approved by the council and the Scottish Government. There is no requirement for a development at this location which would not be in keeping with the character of the village.

There is no need for a further retail unit in our village. We have sufficient shops which have worked hard throughout the current pandemic to supply the needs of the community and they need and deserve to be supported. A retail unit on the south side of the village would lead to further traffic problems on an already busy road.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan

Comment:This application is a departure from the Local Development Plan 2015 and 2020.
It contradicts the new EP3 - Special Landscape Area protecting the landscape characteristics of Hopeman as a seaside village.
Hopeman village does not require any additional retail and industry units therefore this development should be rejected in order to preserve the village and follow the LDP 2020 as agreed by the Scottish Government.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Over development in Hopeman is my concern. If there are no guarantees that further proposals for building site developments would not ensue then this could be the thin end of the wedge which would be most undesirable for the current Hopeman community.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan

Comment:This application contradicts the Local Development Plan 2015 and 2020.
It does not follow the EP3 - special landscape area designated zone which intrudes on preserving the character of Hopeman village.

It also adds additional retail and industry to the village which is not required and in turn will cause more traffic congestion impacting on the existing local amenities.

I object to this proposal

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Petition
Stance: Customer objects to the Planning Application
Comment Reasons:
- Activity at unsociable hours/behaviour
- Affecting natural environment
- Litter
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:Dear Moray Council,

I appreciate the need for continuous development however, I object to our village being over run by over enthusiastic developers cashing in the rural aspects of our village. Our village is already seeing development by SREM and fear that given permission this company and other developers will totally decimate our beautiful landscape.

This proposed site is on the thoroughfare road to surrounding villages of Lossiemouth, Duffus, Cummingston, Burghead and major route to the A96 at Forres and Elgin and already sees a huge amount of commuting and local traffic; many drivers drive through our village at excessive speed. Increased vehicular activity pulling onto and from the forecourt of this site will most certainly increase the risk of vehicular incidents. Furthermore there are no safe crossing points for cyclists or pedestrians on the existing road and currently crossing the road when alighting the bus is hazardous: especially for the elderly residents of our village.

Our community is already very well served by local shops and services and we do not want or

need a large chain supermarket plonked on us. Our local businesses could potentially go to the wall if the retail unit is approved. I will continue to shop at our existing local stores and will not use the new shop.

If it is at all possible to separate the dwelling from the retail elements in this application, I would consider supporting the dwelling element but I firmly object to the retail aspect.

Regards,

[redacted]

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Litter
- Road safety
- Traffic

Comment:As per my original objection forwarded on 7 June, my stance has not changed with this amendment. The issue is simple, we as an already self sufficient community have no need or want this intrusion from a building developer. Why would we welcome the road safety hazards that come with this proposed development and suffer the economic impact on our existing shops ? It is an absolute insult to read the content of this planning application-disingenuous doesn't come close to describing it. We as a village community must be heard- we do not want this. The Moray Council must be able to see past this absolute tripe of an application and decline to approve it forthwith.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Community Council/Association Consult
- Road safety
- Traffic

Comment:This will impact negatively on the character of the village and on local businesses who have been integral to the life of the village for many years. Also more traffic close to a busy junction

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Community Council/Association Consult
- Drainage
- Legal issues
- Precedent
- Road safety

Comment:A further example of greed - developers wanting to make money at the expense of villagers everyday lives. Hopeman neither needs nor wants a supermarket. The villagers needs are met by local shops catering for all. There is a butcher, pharmacy, post office, Costcutters. The village does need need a further flatted development. This is a perfect example of 'bully boy' tactics by the big developer. This has been going on for nearly 20 years. Chipping away at the local community. This has got to stop. In 2002 the developer wanted to decimate Hopeman and applied for pp for 800 houses. It didn't happen but the continuous chipping away has never stopped. Stop it now!

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Litter
- Noise
- Road access
- Road safety
- Traffic

Comment:I object to this application, for all the reasons detailed above.

Forsyth St is the only approach to this traditional fishing village. The building of convenience store at the entrance to the village would change the whole ambience of the locality. The retail building and flats are not in a style or design which Is inkeeping with the surrounding buildings. There is no demand for another grocery outlet in the village. Hopeman is well served by individual stores which have been indispensable during the Covid-19 pandemic. Another shop on the outskirts of the village would make it difficult for the existing small businesses to survive.

This type of development on this site is contrary to LDP2015 and LDP2020

A retail unit on this site would increase the traffic on Forsyth St, which is , at present, a difficult road to cross due to the volume and speed of through traffic. This proposed development is close to 2 junctions, at a point where Forsyth St is narrow.

I am therefore lodging my objection to this application

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Drainage
- Road access
- Road safety
- Traffic

Comment:Proposed development is at an already busy junction on a main thoroughfare which already suffers from speeding and congestion.

Drainage and sewer infrastructure in Hopeman is already known to be at capacity. Further connections into this system will simply push the system beyond its limits.

Hopeman does not require any further retail development and this proposal threatens the livelihoods of those already established local businesses.

This proposal contravenes the Local 2020 Development plan

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment:Any further development to the village would ruin the character and natural beauty of hopeman.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan

Comment:I believe that the proposed development would require a change of use from industrial to retail and residential and that this is not part of the Moray strategic plan. There is no need for additional retail activity in the village and such a development would threaten the viability of existing businesses such as the post office and pharmacy, both of which play a vital role in the wellbeing of the community. As the residential development previously submitted for a large area to the south of this site has now been rejected, there is no place for further retail or housing development on this site.

[redacted]

27th May 2020

Dear Sir

I am writing to you in my capacity as sole proprietor of [redacted]n Hopeman, and specifically on the matter of the recent application by Springfield Real Estates Management Ltd (Ref. No: 20/00474/APP) to demolish existing service station and garage, erect retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman, Elgin, Moray, IV30 5ST.

I have reviewed the application and supporting documentation on the Moray Council website planning pages and would hereby request that my objection to the proposed development is noted and recorded. My objections are raised both as a local retailer, and, as a resident of Hopeman and are detailed under the following headings.

Existing local retailers

Hopeman is a small 'tight knit' community that relies heavily on its local shops, the owners of which, in turn, make a living from this modest customer base. I consider this arrangement as a delicate balance which can at times be quite dependant on season. Hopeman retailers consist in the main of two convenience stores, a butcher, a chemist, an ice cream parlour, a café, a gift shop selling teas and coffees and [redacted] florist shop. All our businesses rely on the fact that we have enough local custom to make a living and that the closest supermarkets in Lossiemouth and Elgin are still far enough away to maintain sufficient footfall through our doors. As I understand things, the proposed retail outlet contained within 20/00474/APP will be a CO-OP of 4000 square feet. Although hardly the size of a supermarket, this retail unit will be of a size far in excess of Hopeman's current needs. It will offer all the produce currently sold by our own shops and will most certainly benefit from late opening hours and the ability to offer cheaper produce through the use of 'loss leader' deals. I cannot stress strongly enough how quickly the effects will be felt on local businesses and I believe that some of us will struggle to continue to remain profitable. I strongly object to the proposed development as I feel that little or no consideration has been given to the existing, and long standing, retail businesses of Hopeman and the impact to trade that it will cause. This proposal is disproportionate to the needs of the population of Hopeman and in many ways I have to suspect that its inclusion is perhaps not as innocent as first meets the eye.

Local Development Plan

I note that application 20/00474/APP is a deviation from the established 2020 local plan. In the 2015 local plan, 25 houses have already been allocated in site known as 'R1' with a further 30 in longer term designation. I feel that the requirement to provide any further housing units per local plan will be serviced by R1 and in the future, the longer term designation. I also feel therefore, that the proposed development would be an unnecessary and disproportionate addition to the Hopeman housing stock and represent a very real threat to local retail businesses whereby some could be forced to close their doors. During previous enquiries into the designation and utilisation of land to the South of Forsyth Street and East Road, the council stated that Hopeman had had significant growth in recent years and it was intended to limit growth here over the new local plan period, to preserve its character. I am of the opinion that the already approved development of land designated as 'R1' should represent that slowdown in growth to an acceptable level. 20/00474/APP is an acceleration of growth disproportionate to the needs of the village.

I note the comments of a previously appointed recorder on the matter of further development to the South of Forsyth Street:-

"My preferred option – comprising a period of consolidation whilst exploring limited expansion opportunities to the east or west in due course, if and when feasible - would have the benefit of retaining the B9040 road as an effective southern boundary for new development in Hopeman".

Drainage Infrastructure

Many Hopeman residents have reported issues with drains and sewage infrastructure around the village. Beach Terrace in particular has experienced surges of drain water and raw sewage. This has been a long standing problem, and with the drains containing both waste water and sewage, it has become quite clear that a health hazard exists and that the current drainage infrastructure is at or over full capacity. The additional waste created by any further development utilising the existing system would result in a complete overload and only add to the current problems.

Roads Infrastructure

Hopeman itself experiences problems with traffic congestion in all main thoroughfares and roads leading from them. Harbour Street in particular has become problematic in recent years with many local households now owning two vehicles or more. Traffic flow from outside the village continues to increase as visitors travel to use our beaches, coastal paths, harbour amenities and caravan park.

Residents have previously expressed their concern to Hopeman Community Association (HCA) about the increase in traffic throughout the village that the current development of 22 affordable homes will bring. There is also a real concern over traffic and pedestrian safety on Forsyth Street. Currently, with no housing to the South of the village there has been little thought given to the matter of pedestrian safety for persons crossing Forsyth street in either direction. Concerns have been raised with HCA on both safety grounds and concerns over the increased volume of traffic. An additional junction servicing a housing development with retail units off Forsyth Street will only create a hazard for traffic on an already busy road and endanger the lives of pedestrians.

Setting a Precedent

Throughout recent preceding's concerning the now underway erection of 22 affordable houses, it was made abundantly clear by the community of Hopeman that that particular application was seen as a 'first step' by the developer in preparing to develop all the land to the South of the village. I find it hard to believe that this is not the case given this latest application from the same developer following so quickly from the last. The fact that 20/00474/APP contains a sizeable retail outlet within, which is I feel, larger than the current needs of the village, only strengthens those fears. There continues to be an objection of the strongest nature from this community to any development whatsoever to the South of the village boundary formed by East Road and Forsyth Street. In expressing my real concerns for the consequences of 20/00474/APP, I expect that any larger development that may follow, would only increase all the risks and dangers previously noted by some magnitude.

In summary, the village of Hopeman does not have the necessary infrastructure to support any further development and its business community are certainly not in a position to have to deal with unnecessary competition placed on their doorstep which threatens their very existence and the 'heartbeat' of the village.

Yours Sincerely

[redacted]

Received by e-mail

I write to register my strong objection to the proposed building of a retail unit, industrial unit and two blocks of flats in Forsyth St, Hopeman.
This small, coastal village is well served by the existing established businesses and both residents and visitors are very appreciative of the balance that has been achieved. All other necessary facilities such as supermarkets, DIY and clothing outlets etc are easily accessed a few miles away in Elgin.
Existing businesses have responded fantastically to the covid 19 crisis with the comprehensive service and support provided to villagers. This development would very likely harm their future and is another reason why I feel so strongly that it should be prevented from going ahead.

[redacted]

Received by e-mail

Dear sir
I want to object to the plans for a commercial and flats being built on the proposed site in Forsythe street Hopeman, this will rip the heart out of our lovely village.

Your sincerely

[redacted]

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:I STRONGLY OBJECT TO PLANNING APPLICATION 20/00474/APP To demolish existing service station and garage. Erect retail unit/ light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman by Springfield Real Estate Management Ltd. For the following reasons:
- Hazardous Road Access. The proposed development is situated on B9040 to the south side of Hopeman Village which is already an extremely busy thoroughfare (being the main route between Kinloss Barracks to the West and RAF Lossiemouth to the East). The intended plan shows additional parking/loading bays at the frontage to the retail unit right opposite the existing local Bus Stop and also fairly close to a small residential junction thereby creating hazardous crossing access. The traffic in and out of the retail and residential site would further increase this hazard.
- Retail Units: The creation of a possible Co-Operative Retail Unit would destroy the ethos of the village community. Hopeman is fortunate enough to already enjoy the use of several businesses - Costcutter / Hopeman Stores (inc. Post Office) / Local Butcher's /Hairdressers /Café/ Chip Shop / Ice Cream Shop / Garage Workshop / 2 pubs and a Doctor's Surgery. These existing businesses are the beating heart of Hopeman, no more clearly evident than during the current pandemic crisis when they have all gone above and beyond to support the whole Community. Why then would we wish for them to risk losing their livelihoods for the sake of a Co-Op?

- Overdevelopment: The Scottish Government decided to support the Moray Council Local Development Plan and the Special Landscape Areas. To further develop the south side of Hopeman would detract from the above and Hopeman would no longer be a village but inevitably become a town, losing its whole character and unique identity.
- Lack of Notification: The timing of this Planning Application submission in April and its appearance in Moray Council Public Notices in the Northern Scot on Friday 22 May was almost too late for wider publication and action to be taken by the local community especially as no public meetings are allowed at present. This is clearly not in the interests of the Hopeman Community as a whole.

I have lived in Hopeman for the past 15 years and feel this development is not right for the village.

9 June 2020

Teresa Ruggeri
Systems Technical Assistant
Moray Council
PO Box 6760
Elgin
Moray
IV30 1BX

Dear Ms Ruggeri,

Planning Application 20/00474/APP

We write to object to the proposed development next to our office premises, store and yard on the following basis.

Residential housing in a site designated for industrial use.

The proposed blocks of flats are immediately adjacent to our workshop/store and storage yard and as such would be incompatible with the existing use causing potential future problems with regards to noise, visual amenity and out of hours working. The site is designated I1 in the 2015 and 2020 Local Plans and as such should be restricted only to uses fully compatible with this designation.

Loss of industrial/commercial development site.

I1 is the only area of land in Hopeman set aside for this type of development and its usage for residential or retail would prevent its potential in accommodating new or expanding local businesses in the future which would obviously be of benefit to the local community and economy.

Access and road safety.

Whereas the proposed access would appear to have sufficient visibility splays in either direction it is directly opposite the village's main bus stop and with increased level of traffic entering and exiting this access there is the potential for increased congestion especially during peak times. The parking/loading bays directly in front of the retail unit will when occupied (especially if used by high sided delivery vehicles) severely restrict the open visibility to the west causing serious road safety concerns.

In summary whilst we do not have any issues with development on the I1 site in principle this should be for the uses envisaged in its current designation and should certainly not be for residential purposes given its location and incompatibility with adjacent properties.

Yours sincerely

[redacted]

[redacted]

Tulloch of Cummingston Ltd
For homes of Distinction

Registered office:
Tulloch House
Forsyth Street
Hopeman
Morayshire
IV30 5ST

T: 01343 835 600
F: 01343 835 700
E: info@tullochofcummingston.co.uk

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Height of proposed development
- Precedent

Comment:I object to the flats but not the shop and workshop as this is an industrial area of Hopeman the shop I believe would be an asset. the workshop also.The shop would keep footfall within the village thus reducing journeys for shopping. The workshop also would be an asset, Possibilities of employment.The flats however would find themselves surrounded by Industrial areas and I have seen later housing developments objecting to industry (successfully) that was there first. better therefore to not allow the housing in the first place.These flats could also be a thin end of a wedge to allow more housing to the south of Hopeman

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Litter
- Noise
- Over-development of site
- Parking
- Precedent
- Road access
- Road safety
- Traffic

Comment:I strongly object to these amended plans. Once again we are having to repeat objections that are clearly felt in this village that in no way do we require the need for a CoOp or flats. We have spent the past few months under difficult circumstances. Our local shops and businesses have been amazing and have kept the community going. Why on earth would we need an incoming retail unit to destroy all their efforts. The traffic situation is bad enough now and especially as Lossiemouth are using Kinloss for their temporary runway the ongoing traffic from that situation has increased the cars etc through the village. To establish a retail unit with flats will only bring more traffic - delivery or otherwise- to the village highlighting the safety issue. The applicants are canny and think if they change the plans then nobody will be bothered to object and a precedent will have been set to further develop. Well we do object and hope the powers that be see sense and stop this action. The LDP is sufficient for our area.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Over-development of site
- Poor design
- Precedent
- Road access
- Road safety
- Traffic

Comment:The proposed development by Springfield/Coop is totally unacceptable on many levels as noted on the list above. To introduce a food retail facility into the village when we have a Butcher, Pharmacy, and two General Stores (one of which serves as a much needed Post Office) would have a detrimental impact on these business. They have, and continue to do so, met the requirements of residents in many ways, particularly so at this difficult time. The two blocks of flats proposed are totally out of keeping with the area. I do hope that the Council can see that this proposed development does not comply in many aspects, and it is rejected.

Comments for Planning Application 20/00474/APP

Application Summary

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Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Drainage
- Inappropriate materials/finishes
- Litter
- Over-development of site
- Poor design
- Road access
- Road safety
- Traffic

Comment:No amendments by the architect/developer to this proposed development will enhance it in any way.

This development is NOT required in Hopeman.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Dust
- Inadequate plans
- Inappropriate materials/finishes
- Noise
- Over-development of site
- Parking
- Road safety
- Traffic

Comment:I wish to object to the proposed development.

Hopeman has already got sufficient retail businesses that meet the needs of this community. The impact of a larger supermarket will have a detrimental effect on smaller independent retailers.

The development site is on a busy road which is the main route through Hopeman. Endless traffic turning in and out of this site including large delivery vehicles will impact on road safety.

The proposed development does not have adequate parking to accommodate a retail unit, a light industrial unit and residential parking. This will lead to more vehicles parking on the main road near the busy Harbour Street junction.

Housing allocation for Hopeman has been met, with 22 soleless units built and a further 70 units allocated.

The appearance of the proposed development does not fit with the overall look of the village.

Drainage - the village already has ongoing issues with the current drainage system.

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Noise
- Parking
- Road access
- Road safety
- Traffic

Comment:We do not want any more developments in our village you are destroying what the government has laid out in the Moray Council Local Development Plan to preserve our village and landscape in the Moray Council Service Level Agreement.

The planning application: 20/00474/APP
This planning application goes against the Moray Council Local Development Plan and Service Level Agreement
I object to a large retail unit to be erected as our small businesses in our village who have been serving our village for decades are family run businesses whose income relies on their local community. We DO NOT want a large retail unit from a large conglomerate business who does not think of our village just their profits. Our village shops support our village and we support them. During the COVID-19 Pandemic they have been our lifeline and have helped so many families and the vulnerable, they care about the welfare of our community.

Flooding due to drainage in the village is already poor. There has been a history of flooding from water travelling from the fields, this proposed planning will aggravate the land even more. Hear our voices of the village community no more developments.

Our quiet village is a safe haven to live we do not need more CARS, POLLUTION, NOISE, UNSOCIABLE HOURS OF A RETAIL UNIT, LOCAL RESIDENTS VIEW AFFECTED, MORE TRAFFIC, MORE PARKING, ROAD SAFETY IMPLICATIONS.

The Road safety on the proposed site at Forsyth Street is on a small Junction, this junctions view is already affected with two bus stops where school children, elderly, families use regularly, with more cars accessing the proposed retail unit and housing this is will be hazardous with lorries, loading and unloading, cars accessing the proposed retail site and housing. This will so dangerous on such a small Junction the main entrance to our village this will cause an accident.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Affecting natural environment
- Contrary to Local Plan
- Road access
- Road safety
- Traffic

Comment:Dear Sir / Madam

I object to the Planning Application.

Firstly, the nature of the proposed development is inconsistent with the existing I1 designation of land as set out in the Moray LDP.

Second, the proposed development introduces a major road safety risk as the development would attract a significant number of vehicles, with high frequency of access/egress associated with the retail unit. The point of access onto the busy B9040 road is very close to the corner of the busiest junction in Hopeman, namely the Harbour Street corner, and will increase the risk of traffic incident and congestion.

Thirdly, it is unlikely that the village of Hopeman could sustain another store without putting existing small businesses at risk. History shows that Hopeman used to have 3 general stores until the arrival of Asda in Elgin. At this point, the village was not able to sustain 3 shops and one folded. It seems very likely therefore that the arrival of another new retail outlet would mean that both of the existing general stores (Costcutter and the Post Office) would not survive. Further, this could also result in Hopeman losing its Post office facility which is heavily relied on by the elderly

in the community. A development which clearly threatens the livelihood and wellbeing of existing residents is morally wrong.

Finally, the existing retail centre of Hopeman is Harbour Street which is central to the village and within walking distance of most residents. A larger retail outlet in Forsyth Street is likely to mean more residents using their cars to do local shopping which is completely contrary to the Environmental Strategy of the Scottish Government.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Road access
- Road safety
- Traffic

Comment:I strongly object to the abovementioned Planning Application 20/00474/APP to Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST on the following grounds:

In 2008 the Reporter stated (CD34, pg.2.137) that "One of Hopeman's distinguishing characteristics is that, broadly speaking, the B9040 road forms an effective southern boundary. This principle has been reinforced by local plans allocating new housing development exclusively on sites to the north of this road. This has safeguarded this characteristic feature of the village and its setting, with its generally open rural outlook to the south of the B9040 road."

Furthermore, this application should be turned down because:
- It introduces two non-conforming uses (retail and housing) on part of existing business site (I1) contrary to MLDP 2015 Policy ED4 and LDP 2020 DP5 Part d);
- Non-conforming uses can only be considered where the redevelopment of the whole site is proposed. The application is for part of the I1 designation where approximately 40% of the site would be lost;

- It would result in the loss of employment land and available sites for smaller businesses in the area to locate;
- No supporting information has been provided to justify that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements of MLDP 2015 Policy R3 and LDP 2020 Policy DP7.
- Hopeman is located within a SLA. In failing to meet the policy requirements of the MLDP 2015 and LDP 2020 policies stated in this response the proposal fails to comply with LDP 2020 Policy EP3; and
- The design of the building is not acceptable and must be redesigned to reflect the prominent location on Forsyth Street to comply with Policy PP3 and IMP1.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Poor design
- Road access
- Road safety
- Traffic

Comment:My family have lived here since the 1930's and I strongly object to the abovementioned Planning Application 20/00474/APP to Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST on the following grounds:

In 2008 the Reporter stated (CD34, pg.2.137) that "One of Hopeman's distinguishing characteristics is that, broadly speaking, the B9040 road forms an effective southern boundary. This principle has been reinforced by local plans allocating new housing development exclusively on sites to the north of this road. This has safeguarded this characteristic feature of the village and its setting, with its generally open rural outlook to the south of the B9040 road."

Furthermore, this application should be turned down because:
- It introduces two non-conforming uses (retail and housing) on part of existing business site (I1) contrary to MLDP 2015 Policy ED4 and LDP 2020 DP5 Part d);
- Non-conforming uses can only be considered where the redevelopment of the whole site is proposed. The application is for part of the I1 designation where approximately 40% of the site

would be lost;
- It would result in the loss of employment land and available sites for smaller businesses in the area to locate;
- No supporting information has been provided to justify that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements of MLDP 2015 Policy R3 and LDP 2020 Policy DP7.
- Hopeman is located within a SLA. In failing to meet the policy requirements of the MLDP 2015 and LDP 2020 policies stated in this response the proposal fails to comply with LDP 2020 Policy EP3; and
- The design of the building is not acceptable and must be redesigned to reflect the prominent location on Forsyth Street to comply with Policy PP3 and IMP1.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Litter
- Noise
- Road access
- Road safety
- Traffic

Comment:I object to this application for the above reasons.

In particular I concur with Development Plans objection to this application in the comments made by the Consultee, [redacted]Development Plans in his submission dated 2/6/2020

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP
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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Parking
- Precedent
- Road safety
- Traffic

Comment:I wish to object to this application for the following reasons.

Hopeman has adequate small family run business's, providing an excellent service to the community. The four shops are mostly all within walking distance for most of the villagers. They are family run and go over and above what is required of them to ensure the villagers are provided for, particularly in relation to covib-19. The proposed Co-op supermarket would be a threat to their livelihood and could result in the village losing their valued service.

The site access, would create an additional safety hazard to what is already a very busy road. Two bus stops are on either side of the access. These are used daily by school children.

The drainage system servicing the village is already under pressure as evidenced by the recent flooding. The system as it is could not cope with any additional demand.

Hopeman is a small, friendly village, popular with tourists, attracted to our beaches, golf course and surroundings. We would like to keep it that way.
I sincerely hope this proposed development is refused and our village remains unspoilt.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Road access
- Road safety
- Traffic

Comment:We do not want any more developments in our village you are destroying what the government has laid out in the Moray Council Local Development Plan to preserve our village and landscape in the Moray Council Service Level Agreement.

The planning application: 20/00474/APP
This planning application goes against the Moray Council Local Development Plan and Service Level Agreement
I object to a large retail unit to be erected as our small businesses in our village who have been serving our village for decades are family run businesses whose income relies on their local community. We DO NOT want a large retail unit from a large conglomerate business who does not think of our village just their profits. Our village shops support our village and we support them. During the COVID-19 Pandemic they have been our lifeline and have helped so many families and the vulnerable, they care about the welfare of our community.

Flooding due to drainage in the village is already poor. There has been a history of flooding from water travelling from the fields, this proposed planning will aggravate the land even more. Hear our voices of the village community no more developments.

Our quiet village is a safe haven to live we do not need more CARS, POLLUTION, NOISE,

UNSOCIABLE HOURS OF A RETAIL UNIT, LOCAL RESIDENTS VIEW AFFECTED, MORE TRAFFIC, MORE PARKING, ROAD SAFETY IMPLICATIONS.

The Road safety on the proposed site at Forsyth Street is on a small Junction, this junctions view is already affected with two bus stops where school children, elderly, families use regularly, with more cars accessing the proposed retail unit and housing this is will be hazardous with lorries, loading and unloading, cars accessing the proposed retail site and housing. This will so dangerous on such a small Junction the main entrance to our village this will cause an accident.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Over-development of site
- Road access
- Road safety
- Traffic

Comment:I feel that it would be dangerous for our community to let this go ahead as there would be too much traffic for the village to cope with. It is also opposite a bus stop which adds to the dangers.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Over-development of site
- Parking
- Poor design
- Road access
- Road safety
- Traffic

Comment:I have lived here since 2002, and I strongly object to the abovementioned Planning Application 20/00474/APP to Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST on the following grounds:

In 2008 the Reporter stated (CD34, pg.2.137) that "One of Hopeman's distinguishing characteristics is that, broadly speaking, the B9040 road forms an effective southern boundary. This principle has been reinforced by local plans allocating new housing development exclusively on sites to the north of this road. This has safeguarded this characteristic feature of the village and its setting, with its generally open rural outlook to the south of the B9040 road."

Furthermore, this application should be turned down because:
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- It would result in the loss of employment land and available sites for smaller businesses in the area to locate;
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- Hopeman is located within a SLA. In failing to meet the policy requirements of the MLDP 2015 and LDP 2020 policies stated in this response the proposal fails to comply with LDP 2020 Policy EP3; and
- The design of the building is not acceptable and must be redesigned to reflect the prominent location on Forsyth Street to comply with Policy PP3 and IMP1.

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[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Over-development of site
- Poor design
- Road access
- Road safety
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- It would result in the loss of employment land and available sites for smaller businesses in the

area to locate;
- No supporting information has been provided to justify that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements of MLDP 2015 Policy R3 and LDP 2020 Policy DP7.
- Hopeman is located within a SLA. In failing to meet the policy requirements of the MLDP 2015 and LDP 2020 policies stated in this response the proposal fails to comply with LDP 2020 Policy EP3; and
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Comments for Planning Application 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Over-development of site
- Poor design
- Procedures not followed correctly
- Road access
- Road safety
- Traffic

Comment:I have lived here since 2002, and I strongly object to the abovementioned Planning Application 20/00474/APP to Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST on the following grounds:

In 2008 the Reporter stated (CD34, pg.2.137) that "One of Hopeman's distinguishing characteristics is that, broadly speaking, the B9040 road forms an effective southern boundary. This principle has been reinforced by local plans allocating new housing development exclusively on sites to the north of this road. This has safeguarded this characteristic feature of the village and its setting, with its generally open rural outlook to the south of the B9040 road."

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- It would result in the loss of employment land and available sites for smaller businesses in the area to locate;
- No supporting information has been provided to justify that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements of MLDP 2015 Policy R3 and LDP 2020 Policy DP7.
- Hopeman is located within a SLA. In failing to meet the policy requirements of the MLDP 2015 and LDP 2020 policies stated in this response the proposal fails to comply with LDP 2020 Policy EP3; and
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Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Over-development of site
- Parking
- Precedent
- Road access
- Road safety
- Traffic

Comment:I STRONGLY OBJECT TO PLANNING APPLICATION 20/00474/APP To demolish existing service station and garage. Erect retail unit/ light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman by Springfield Real Estate Management Ltd. For the following reasons:
Overdevelopment: The Scottish Government decided to support the Moray Council Local Development Plan and the Special Landscape Areas. To further develop the south side of Hopeman would detract from the above and Hopeman would no longer be a village but inevitably become a town, losing its whole character and its unique identity a major part of why people came to live here.
Hazardous Road Access. The proposed development site situated on B9040 to the south side of Hopeman is already an extremely busy thoroughfare (used as a main route between Kinloss Barracks to the West and RAF Lossiemouth to the East and indeed as part of the coastal tourist route). The intended plan shows additional parking/loading bays at the frontage to the retail unit directly opposite the existing local Bus Stop and also fairly close to a small residential junction thereby creating an even more hazardous crossing and access area, the additional traffic in and out of the retail and residential site could only increase this hazard even further.

Retail Units: Hopeman is fortunate enough to already enjoy the use of several local businesses - Costcutter / Hopeman Stores (inc. Post Office) / Local Butcher's / Hairdressers / Café/ Chip Shop / Ice Cream Shop / Garage Workshop / two public houses and a Doctor's Surgery. These existing businesses are at the heart of Hopeman, clearly evident more than ever during the current pandemic crisis when they have all gone above and beyond to support the whole Community. The creation of a possible Co-Operative Retail Unit would put at risk these local businesses possibly losing their livelihoods altogether and potentially destroy the very culture of the special village community.
Lack of Notification: The timing of this Planning Application submission in April and its appearance in Moray Council Public Notices in the Northern Scot on Friday 22 May was almost too late for wider publication and action to be taken by the local community especially as no public meetings are allowed at present. This is clearly not in the best interests of the Hopeman Community as a whole.

I have known Hopeman for a good number of years before moving here, having lived here as a resident for the past 15 years I feel very strongly that this development is not right for the village and indeed further threatens to erode the very special community that has developed here.

Comments for Planning Application 20/00474/APP

Application Summary

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Over-development of site
- Traffic

Comment:I strongly object to this proposal. Hopeman is already well served by its existing shops. This proposal for a 4000 sq feet Coop is completely unnecessary and unwanted and would have a considerable adverse effect on the current two shops, the butchers, and would in all probability have a detrimental effect also on the pub, hotel, ice-cream shop, florist and chemist. Furthermore the existing local businesses are all family owned and have provided exceptional service during this pandemic. These businesses all play a fundamental part in the community feeling of Hopeman , and are infinitely preferable to a chain supermarket.
These existing businesses are all situated on or around the main street of Harbour St. If this Coop proposal was to go ahead on Forsyth St and shops were to close , this would have a very detrimental effect on the feeling of Harbour St being the bustling centre of our village.
This proposed development would also cause significant additional traffic problems on an already busy road and near the Forsyth St/ Harbour St junction.
These proposals are also against the 2015 and 2020 Local Development plan , are in contradiction to the Special Landscape Area and the Scottish Government Reporter comments on having no further development south of Forsyth St.
Finally the current residential developments of the 22 affordable houses and the Tullochs site on the western side of the village should be sufficient additional housing for the village for the foreseeable future.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Over-development of site
- Road safety
- Traffic

Comment:I object to the retail unit/co-op because this would have an adverse affect on local village shops /businesses in the centre of the village. If these shops/businesses ended up having to close because they can't compete witha large supermarket chain it would affect the older people of the village who would have to walk uphill to the main road through Hopeman and cross over a busy road and carry everything home again. The local shops have always delivered shopping to people unable to go out due to adverse weather conditions, illness, disability, being elderly etc. But especially in these strange times of pandemic they have been the mainstay and lifeline of our village. Delivering and sourcing whatever people want. The majority of people living here work in Elgin and do their shopping whilst there, or drive to Elgin for shopping. I believe most people moving into the village will do the same.

A new retail unit/co-opwould end up with most of the shops/businesses having to close and these people and their staff would lose their livliehood and some of them their homes as they are attached to there businesses.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Dust
- Lack of landscaping
- Litter
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Parking
- Precedent
- Reduction of natural light
- Road access
- Road safety
- Traffic
- View affected

Comment:The plan will effect the environment, landscape, road safety of the village, let alone it's impact on local businesses at the heart of the community.

Comments for Planning Application 20/00474/APP

Application Summary

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Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Contrary to Local Plan
- Drainage
- Dust
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Lack of landscaping
- Litter
- Loss of privacy (being overlooked)
- Noise
- Parking
- Permitted Development
- Poor design
- Precedent
- Road access
- Road safety
- Smell
- Traffic
- View affected

Comment:I wish to strongly object to the above proposed development. Hopeman is a small traditional fishing village. It is admired throughout the world. Evidence the countless visitors we receive. The proposed development of a faceless superstore and flats will seriously damage the character of Hopeman - with all the accompanying problems - see above. The impact on our local

shops and post office would probably result in there closure. During this pandemic they have went above and beyond in supporting our community. The building of this unsympathetic development will be detrimental to our village.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Over-development of site
- Precedent
- Reduction of natural light

Comment:I would like to register my objection to the plans under application 20/00474/APP The points on which I object are detailed below.

Contrary to local plan.

In May 2020 The Moray Council, backed by the Scottish Government stated that Hopeman had reached the limits of its physical growth and therefore an approval of any or all of this plan would contravene this statement.

Drainage.

Over the last few years there has been drainage issues arising from that area of land. Any development here would remove the areas natural ability to soakaway heavy rainwater and could potentially increase flooding risk to the village situated downhill from this proposal.

Height of proposed development.

The proposed height of the development is not in keeping the rest of the village.

Reduction of natural light.

Due to it's elevated position and the fact that the sun in the winter months sits low over the hlll behind the proposed development I would be concerned that this would reduce the natural light in this area north of Forsyth street.

Over-development of site

Hopeman is a village and should remain so, the introduction of flats and retail units lends no benefit to the current population and only increases the 'sprawl' of the village. Hopeman has been identified as 'reaching its limits' by the local council and this view has been supported by the Scottish Government and therefore should not be approved on the basis that this will increase the developments attached to the original location of the village.

Precedent

Should this plan be approved then it will set a precedent in which sites that have previously been identified by developers as 'potential' development sites will be submitted for planning. Again, I mention the fact that in May 2020 the Moray Council and the Scottish Government stated that Hopeman had reached its physical limits. Should this plan be approved then the precedent has been set that this statement is in effect of no value whatsoever.

Personal

I have lived in Hopeman now for 10 years and would be sad to see an expansion to the village, this is because I believe that it would detract from feel and beauty of the place. I would also be sad to see additional retail units which are not based on the main street of Hopeman (Harbour Street) Hopeman already boast good amenities for a village of its size and I believe that any additional retails shops which directly compete with existing shops would have a very detrimental effect on the existing businesses.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Over-development of site
- Parking
- Road safety

Comment:Deeply concerned that the proposed retail development negatively impact on village shops which have provided excellent support to residents during the pandemic and before the pandemic. The character of the village will be negatively affected by over development. Increased tourism, which has a positive impact on village business, has increased pressure on village infrastructure and over development will increase pressure further.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Retail park not required

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Over-development of site
- Road safety

Comment:1. I believe the proposed development will look out of place due tout being a high building and the current dwellings surrounding being small

2. It will bring in more traffic to the village making a notoriously risky road more dangerous.

3. It will potentially disrupt the villages economy outcompeting small buisinesses and forcing closures and job losses

Comments for Planning Application 20/00474/APP

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Activity at unsociable hours/behaviour
- Litter
- Over-development of site
- Road safety
- Traffic

Comment:Hopeman is fortunate enough to have an excellent group of local and independent shops, to add a larger chain store to this would likely have a detrimental effect on these with passing trade going to a larger store on Forsyth Street. Likely late opening hours of a co-op could also mean increased activity and noise at nighttime for those living near by.

Forsyth Street is a well used road, and at times struggles with traffic, particularly due to residential parking and buses stopping, to add additional traffic to this would cause congestion at times, and could also lead to more pedestrians trying to cross a busy road to access a shop or flats.

There are already significant plans in place to develop Hopeman to it's capacity, this development is not one which I feel is needed or that the village has capacity for.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Road safety

Comment:My primary objection to this planning application, [redacted] is in relation to the proposed introduction of an additional retail outlet. The services provided by the pharmacy are vital to the health of the local population and the recent COVID-19 pandemic has highlighted the fragility of this service as the retail element of our business has diminished due to lockdown. This has put real pressure on our ability to provide our large range of NHS services as I have been forced to reduce our staffing levels to maintain our viability. Clearly, my expertise is not in building or town planning, but I believe that the site in question is classified as an industrial site, and a retail outlet/residential units would not be consistent with the Moray strategic plan. If this is the case, then I would urge the planning committee to reject the application on the basis that a change to the plan would seriously threaten the health and wellbeing of both Hopeman and Burghead, as the Burghead pharmacy would not remain viable should the Hopeman pharmacy be forced to close.

As a secondary issue, I would ask the committee to consider carefully the road safety element of a development on this site. I use this road daily and am very aware of the potential for this small stretch of Forsyth St to become an area of risk to both road users and pedestrians.

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan

Comment:This development is contrary to the local development plan.

The village is well served by local businesses which would be wiped out if a new 4000 sq foot co-op were built.

Hopeman is an outstandingly beautiful example of a Scottish coastal village. All of the current businesses are integrated within the traditional buildings of the Main Street and within walking distance of all the properties in the village.

The closure of these businesses, which would be inevitable, would be a huge loss for our community and the new development would be wholly inappropriate aesthetically.

HOPEMAN Community Association

11 JUN 2020

Springfield Real Estate Management Ltd
Planning Application Ref: 20/00474/APP
Industrial Unit, Retail Unit and Two Blocks of Flats, Forsyth St, Hopeman

10 June 2020

Dear Sir/Madam,

We are responding to the above planning application and in doing so lodge an objection on behalf of the residents of Hopeman.

We have consulted widely with the residents of the village and have received an overwhelming response against this proposed development. It is clear from reviewing the Council's own consultation documents, that on the basis of identified breaches to the existing local plan, transport and road safety concerns that the Council officers in these areas also believe this development should not proceed.

In addition to these very valid points, which were also widely expressed and supported in the responses received from residents, there was also a strong view put forward by many on the impact such a development would inevitably have on the village's current retail infrastructure. Again, it was heartening to note on our review of the planning documents that this is yet another area in which we are in concert with the Council's view, as detailed in their Development Plan Consultation response.

Given the strange and trying times we are currently living through, which no doubt will continue for some time, the retail outlets in Hopeman, which include a Butcher, Pharmacy and two General Stores, one of which incorporates a Post Office, have all provided a level of support within the community which we believe would be hard to replicate.

As an understandable and laudable consequence, the residents would not wish to see another retail outlet being established which would surely further threaten the future viability of existing shops, already impacted by the many supermarkets opened in Elgin and Lossiemouth. The outstanding service our existing shops have provided to the residents in the past and continue to do so is in the view of the village a very welcomed position and one well worth protecting.

In closing we hope that the strongly expressed views of our local community against this proposal will be considered and continue to be supported by the Council in reaching their decision.

Yours faithfully

[redacted]

Addendum to Hopeman Community Association
Response to Planning Application Ref: 20/00474/APP

Reason for comment:

- ☐ Activity at unsociable hours/behaviour
- ☐ Affecting natural environment
- ☑ Community Council/Association Consult
- ☑ Contrary to Local Plan
- ☑ Drainage
- ☐ Dust
- ☐ Height of proposed development
- ☑ Inadequate plans
- ☑ Inappropriate materials/finishes
- ☐ Lack of landscaping
- ☐ Legal issues
- ☑ Litter
- ☑ Loss of privacy (being overlooked)
- ☑ Noise
- ☐ Objection now withdrawn
- ☐ Out of Time Objection
- ☐ Over-development of site
- ☑ Parking
- ☑ Permitted Development
- ☑ Poor design
- ☐ Precedent
- ☐ Procedures not followed correctly
- ☐ Reduction of natural light
- ☑ Road access
- ☑ Road safety
- ☐ Smell
- ☑ Traffic
- ☑ View affected

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Litter
- Road safety
- Traffic

Comment:Still a highly undesirable development plan, A totally unnecessary and undesirable retail space, which will adversely affect local businesses, and cause many traffic problems for a village already struggling to cope with the increased traffic, that has resulted due to a significant increase in the touring capacity of the caravan park and an expanded food outlet.

I totally oppose this development.

HOPEMAN Community Association

Development Management and Building
Environmental Services
The Moray Council
High Street
Elgin
IV30 1BX

17 AUG 2020

13 August 2020

Dear Sir/Madam,

Springfield Real Estate Management Ltd (SREM)
Planning Application Ref: 20/00474/APP
Industrial Unit, Retail Unit and Two Blocks of Flats, Forsyth St, Hopeman

We are writing again on behalf of the residents of Hopeman in response to the recent amendments to the above application submitted by SREM.

Incidentally, we are surprised that on the Council's planning website the determination deadline for this application still states 29 June, which has clearly not been achieved and yet no amended determination deadline has been set.

In respect of the amendments themselves, it appears that SREM, now aided by consultants, believe they have put forward a valid case that their plans are to the benefit of the village and its residents. The changes do not alter the fact that the community within Hopeman overwhelmingly do not support these plans and the objections raised to the initial application are still valid.

Planning Statement

- Within the planning statement it is purported that the site in question would have in the past attracted a "high volume" of traffic when it was in business as a garage. Many of the community would quite simply dispute this as the site has not operated in this way for well over 10 years. Even then, the filling station on the site attracted much smaller traffic volumes than what is now being envisaged.

- What is however true in relation to traffic volumes is that the density and types of traffic now using Forsyth Street have changed and grown considerably over this period. This supports the position put forward by many residents that creating another access onto Forsyth Street, so close to the primary road junction between Forsyth Street and Harbour Street, will surely present additional safety issues, both in terms of traffic movement in the area and also to pedestrians.

- The developer's application also makes much of the site's ability to move towards satisfying the Scottish Government policy in relation to cycle use. It completely ignores the facts that:
  - many residents and commuters passing through the village on a regular basis would strongly disagree and not hesitate to suggest that cycling/crossing Forsyth Street, particularly at peak times, is hazardous due to density and speed of traffic in the area
  - given that there are no cycle tracks in the vicinity of the site, cyclists would require to use the main road; this induces further risk; as a result, and given the existing congestion in Harbour Street, it is highly unlikely that many of the local residents would choose to cycle to the site
  - unless a bike has fitted carriers, or the cyclist has a back-pack, carrying shopping while cycling is simply dangerous and should not be encouraged

- The statement also makes reference to the Local Development Plan designation I1, suggesting that this does not impact on the retail development site and that in addition I1 is currently not being utilised for industrial use as designated. Both are inaccurate, the proposed retail unit does impinge on I1 and I1 is currently being utilised by the building contractor whose offices are located adjacent to the proposed development for storage (industrial use).

Retail Planning Statement

- **Section 1.6**: we do not accept that "the proposed shop will supplement the existing shopping in Hopeman". Shopping by the residents of Hopeman comprises local shopping, online supermarket shopping and personal shopping at Lossiemouth/Elgin supermarkets. This shop is unlikely to affect online and supermarket shoppers and the range of products it would offer will simply put it in "direct competition with existing shopping in Hopeman"

- **Section 1.7**: this seeks to suggest and identify what the developers consider to be the "anticipated" benefits that would flow from the building of the retail store. We feel sure that the developers and those advising them are the only parties "anticipating" those perceived benefits. Hopeman currently enjoys comparable service and support provided by a post office/store, a general store, a butcher, a florist and a pharmacy. These stores are already providing the necessary products

to the residents and the argument that the Co-operative could do better is quite frankly an insult to the owners and operators of the existing shops. The level of service and ability to meet the needs of the residents has been more than adequately demonstrated during the protracted lockdown. We feel confident that the residents will continue to fight to retain these valuable and locally controlled services.

- **Section 2.6**: within the Retail Planning Statement, the most outstanding and arguably important point is that made in respect of the new Co-operative opening in Lhanbryde. The statement states that:

  "It is relevant to note that Moray Council approved planning permission in 2016 for a new Co-op store in Lhanbryde. The store that was approved at Lhanbryde, and now built, is of a similar size to what is now proposed at Hopeman, ***the population of Lhanbryde is similar to Hopeman, and the new Co-op at Lhanbryde trades alongside a Keystore, thereby demonstrating that convenience stores can co-exist in settlements of this size....."***

  In discussions with the owner/operators of the Keystore it is clear that their view of what has actually happened bears no relationship to what the developers are suggesting and that the store has suffered from the competition introduced. It is also reported that the only other retail outlet within Lhanbryde, a butcher, is also suffering adversely from the new Co-operative's influence.

- Section 2.6: the statement also suggests these proposals comply with the requirements of Policy R3. In satisfying this Policy, developers are required to:

  "demonstrate that they will not have an adverse effect on the vitality and viability of the identified network of centres"

  We refer you to the comments made in response to sections 1.6 above and 3.7 below. In addition, the statement relies on the approach taken in Lhanbryde by the Council.

  "This all serves to demonstrate that the Council should adopt the same approach to the retail proposal at Hopeman as they did at Lhanbryde, and conclude that the retail element of this application is in line with planning policy."

  It is clear to us however, and should be easily verified that the approach taken by the Council in respect of that application was flawed in that it has impacted on the potential vitality and viability of the stores in Lhanbryde. The same misjudgement should not be allowed to happen again in Hopeman and threaten long established businesses within the village.

Again, anecdotal evidence in respect of Lhanbryde's experience would suggest that initial suggestions made in respect of potential employment opportunities proved to be well overstated and have not materialised. It is therefore probable that at least one of the goals of Primary Policy PP1, if not indeed the most important one in terms of local effect, is highly unlikely to be met.

- Section 2.10: the developers state:

  "It is set out in the Retail Statement at part 3.0 of this report that the proposed retail store will serve the existing resident population of Hopeman and surrounding area. However, it is also anticipated that the retail store will serve to help meet the needs of tourists visiting the area. Part 3.0 of this report demonstrates that the existing shopping provision within the catchment does not provide for all of the convenience retail requirements of the catchment area, and so there is a specific locational need for a new store to be provided in Hopeman to meet the need that exists..."

  This is totally untrue and wishful thinking on the part of the developers. Hopeman has been a tourist draw in Moray for many years and the existing infrastructure has successfully supported the requirements of visitors. To suggest otherwise, on the basis of some statistical guesswork, is unacceptable.

- Section 3.7: the data in the table is materially incorrect and its use in the subsequent paragraphs to develop an argument in favour of the proposed shop is inappropriate; local available expenditure and calculated turnover figures are simply guesstimates and, based on our conversations with local retailers, the data is incomplete, inaccurate and presented in a manner which simply helps justify the case for the development. It would also be helpful to consider the actual effect of such a development as witnessed in Lhanbryde.

- Section 3.10: we refer to arguments above relating to disagreement that the proposed store could be supported "without any significant impacts on existing convenience outlets".

  We would further point out that Hopeman, unlike Lhanbryde, currently comprises a unique mix of all the specialist services required by a village of its size. In that regard, its retail composition is mature, and has developed into a balanced local offering (effectively a saturated market) within a regional equilibrium served also by online and supermarket alternatives. Further, we would point out that although at one time, Hopeman was able to support 3 general stores, the arrival of Fine Fair, Asda, etc. in Elgin resulted in only 2 being able to survive thereafter. That status has remained throughout various changes in ownership until the present day.

- Section 3.11: we have argued above against the qualitative and quantitative arguments put forward by the developer; finally, we would simply draw attention to the policy of the Scottish Government regarding Community Empowerment which encourages communities "to make their voices heard in planning"; we, as Hopeman Community Association are trying to do exactly that by representing the majority view within the community – a view which is that this development is neither needed nor wanted by the people of Hopeman.

Yours faithfully

[redacted]

Chair: Dennis Slater, 15 Park Street, Hopeman, Moray, IV30 5SE
Secretary: Katy Sutcliffe, 21 Farquhar Street, Hopeman, Moray, IV30 5SN
Treasurer: Lynda Heron, 63 Farquhar Street, Hopeman

[redacted]

Comments for Planning Application 20/00474/APP

Application Summary

Application Number: 20/00474/APP

Address: Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST

Proposal: Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at

Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Road access

Comment:Just not acceptable

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Procedures not followed correctly
- Road safety
- Traffic

Comment:I strongly object to this development as the village does not need these properties or the proposed shop the latter that it cannot support and existing businesses would struggle. The village infrastructure is currently very hard pressed with traffic due to the influx of visitors caused by the bootleggers bothy. We do not want the additional traffic on our narrow congested streets.

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Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Parking
- Traffic

Comment:The proposal is on a site intended for light industrial/ employment. Development for retail / housing will remove any prospect of employment opportunities within Hopeman - encouraging continuation of vehicle use and commuting. Hopeman is experiencing unprecedented levels of traffic and the development of further housing and removal of the prospect of employment within the village will further compound these problems.

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Litter
- Loss of privacy (being overlooked)
- Noise
- Road access
- Road safety
- Traffic
- View affected

Comment:This development would increase the amount of traffic and activity in the vicinity of our house throughout the day and evening. The village has shops which provide an adequate service. The claim of helping people by avoiding a trip to Elgin not supported. Many older people enjoy a trip on the bus to Elgin for shopping and meeting friends. The existing village shops sell a wide range of products and the introduction of a Coop could only have a detrimental effect on them.

Comments for Planning Application 20/00474/APP

Application Summary

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Case Officer: Lisa Macdonald

Customer Details

[redacted]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Drainage
- Lack of landscaping
- Over-development of site
- Precedent
- Traffic

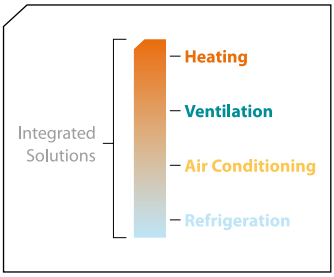
Comment:It cannot be argued that the current state of this site gives cause for concern, however, I would urge the planning committee to prevent further erosion of what Hopeman village has to offer. Our current businesses support our community in the village tradition.For half of the year they exist on local shopping and then in the summer they are blessed with what tourism brings to the village. Are we in danger in Moray of losing the village identity that brings tourists to us? Are we seeking to provide more of the 'same' instead of enhancing our uniqueness? Nothing is ever appreciated until it is lost. This application is one more step in that direction.

DAIKIN

your comfort. **our world.**

User Guide – Altherma LT Split

For your new Daikin Altherma low temperature heat pump



Your new Daikin Altherma heat pump

In this manual you will find information and guidelines that will allow you to run your Daikin Altherma heat pump system in the most energy efficient and cost effective way.

We hope you enjoy a warm and comfortable winter season!

System overview

The heart of your new central heating system is a highly efficient Daikin Altherma air source heat pump. The heat pump heats the water which flows around your central heating and separately heats the hot water when required in your hot water cylinder. The central heating is usually controlled from a Daikin controller or programmable room thermostat which switches the heat pump on and off at preset times, sending warm water through the central heating. Most radiators have thermostats (TRV's) fitted to control the individual room temperatures.

Outdoor unit

Hot water cylinder

Hydrobox

Daikin Altherma controller

Your heating system in detail and getting the most from it

Outdoor unit

Outside is the heat pump. This extracts heat from the air, even below 0°C and uses this heat to heat the water passing through the central heating and hot water cylinder.

The outdoor unit pulls in air from the rear, extracts the heat in the air, and blows the cooled air out the front. This is done automatically, and there is no need to set or adjust it.

If the rear of the outdoor unit gets clogged up with leaves or debris, the efficiency of your heating system can be reduced, this should be checked regularly and cleaned with a soft brush. Similarly, don't block the front of the unit up by leaning anything against it.

Hydrobox

The hydrobox is located indoors. This distributes hot water around the central heating and to the cylinder. The Daikin Altherma controller communicates with the hydrobox for efficient use.

Cylinder

Hot water is stored in the cylinder. To ensure low running costs the cylinder is normally set to heat to 48°C. Your system is set up to heat the water in the cylinder at the time when it is cheapest. If you have Economy 7 this will be during off-peak periods. If not, it will be during the day when the air temperature is higher. Once a week the water in the cylinder is heated to at least 60°C to ensure the cylinder remains free from bacteria.

Hot water preparation in detail

Your system is set up to heat the water in the cylinder at the time when it is cheapest. If you have Economy 7 this will be during off-peak periods. If not, it will be during the day when the air temperature is higher.

Programmable room thermostat

You may have a room thermostat installed in your property. It would be located in the hall or within certain rooms. It controls when the house is heated, and to what temperature.

It is likely the thermostat has been set to heat the house to 21°C in the early morning, lunchtime and evening, with a cooler 18°C at other times from Monday to Friday. At weekends, it is set to 21°C from early morning until late evening, with 18°C over night.

Heat emitters: radiators

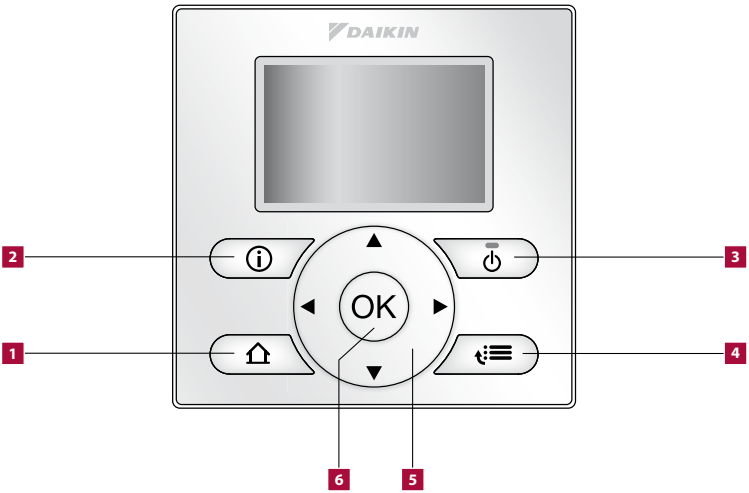
Most radiators are fitted with Thermostatic Radiator Valves (TRV's) as shown in the picture which ensures rooms will not become too warm.

Temperatures are represented by numbers or roman numerals I, II, III, IIII. The higher the number, the warmer the room temperature. Each valve should be set according to the temperature you wish to achieve.

Underfloor heating (UFH) and/or fan coil units (FCU)

If UFH is installed you may see a manifold in your airing cupboard or similar with pipes going into the floor. This will heat your floors, which in turn heat your home. If FCU are installed you will see them on your walls. FCU operate in a similar way to radiators, but a fan in the unit pushes heat into the space around it.

Your Daikin Altherma remote controller



1. **Home pages**
   - Switches between home pages for room temperature, tank temperature and leaving water temperature (when on the home pages)
   - Goes to the home page (when you are in the menu structure)
2. **Error information**
   - If an error occurs with your Daikin Altherma heat pump unit the information is displayed here
3. **On/off**
   - Turns on or off one of the controls (room temperature, tank temperature and leaving water temperature), depending on which home screen is shown on the display
4. **Menu/back**
   - Opens menu page when on the home page or goes back a level when you are within the menu structure
5. **Navigation buttons**
   - Navigates through the menu structure, selects and changes settings
6. **OK/enter button**
   - Confirms a selection
   - Goes to the next step when in programming mode
   - Enters a sub-menu when in the menu structure

Useful functions on your Daikin Altherma controller

Raising the hot water temperature

Storing water at higher temperatures is wasteful, because heat loss from the cylinder will be increased and the heat pump running costs will increase.

However, should you find the hot water is not hot enough, it can be increased by going to the domestic hot water home page. Press until you reach the domestic hot water home page (display will show 'tank' in top right corner). You will see either a temperature setting e.g. 60°C or symbol on the screen.

Use the button to increase the volume of hot water in the tank.

Note: You need to ensure the domestic hot water function is 'ON' to be able to adjust the settings. Press if you do not see a green light above the symbol.

Additional hot water other than pre-set times (boost function)

If you run out of hot water you can go into booster mode. Press until you reach the domestic hot water home page.

Now press until you reach to activate domestic hot water booster mode.

Note: Increased use of boost function will affect overall efficiency of the system.

Note: If you see the symbol, this means the domestic hot water is based on weather compensation, thus cannot be changed from the home menu.

Maximising your energy savings

To increase the efficiency of the central heating system, your heat pump will automatically vary the temperature of the water going through your central heating. The colder the temperature gets outside, the warmer the circulating water through your central heating.

When in the automatic (weather compensation) mode, if you feel the house is too warm or not warm enough you can adjust the central heating temperature up or down. Press ⌂ until you reach the room temperature home page. Use the ▲ or ▼ button to increase the room temperature.

Note: You need to ensure the room temperature function is 'ON' to be able to adjust the settings. Press ⏻ if you do not see a green light above the ⏻ symbol.

Activating the schedule timer

To activate the schedule timer press ⌂ until you reach the room temperature home page (display will show 'room' in top right corner). Use the ◀ or ▶ to move between heating modes. When you reach the ◷ symbol you are in scheduled mode. The next scheduled timer function is shown at the bottom of the screen, for example wed 17:00 ↑

Heating modes: ◷ = Scheduled mode
☀ = Comfort daytime mode (20°C)
☾ = Eco nighttime mode (18°C)

Note: ↑ = At the next scheduled action, desired temperature will increase
→ = At the next scheduled action, desired temperature will not change
↓ = At the next scheduled action, desired temperature will decrease

Setting the clock

If for any reason you require to re-set the clock,

1. Press ⌂ to go to any home page
2. Press ☎≡ to enter the menu function and press OK when 'set time / date' is highlighted
3. Press ▼ until you reach the 'time' setting. Press OK
4. Press to adjust the hour ▲ or ▼ and then ◀ or ▶ to move across to adjust the minutes. Now Press ▲ or ▼ to adjust the minutes
5. Press OK to confirm and save the new time and press ⌂ to return to the home page

Changing the central heating timer settings

If you wish to set the central heating to heat at times other than those already set, you need to adjust the settings on the controller:

1. Press ⌂ to go to the home page
2. Press ☎≡ to enter the menu function
3. Press ▼ until 'user settings' is highlighted, press OK
4. Press ▼ until 'set schedules' is highlighted, press OK
5. When 'room temp.' is highlighted, press OK
6. When 'set heating schedule' is highlighted, press OK
7. If you wish to change an existing schedule choose the name of the schedule you wish to change and press OK, OR if you want to start a new schedule, choose 'empty' and press OK
8. 'Mon' will be highlighted, this is the schedule for Monday. Press ▶ to enter the schedule for the selected day, or ▲ or ▼ to select another day

Continued overleaf...

Changing the central heating timer settings

Continued...

9. Press ▲ or ▼ to change the hour time of the schedule and press ▶ to change minutes. Press ▶ to set type of schedule. You can either set a room temperature or choose 'eco' (18°C) or 'comfort' (20°C) modes. Press ▲ or ▼ to switch between modes or to adjust temperatures
10. Press ▶ to move to the next schedule for the day. Repeat step 9 for the next timer schedule
11. When you have set all schedules for the day, press OK
12. You are able to copy the schedule set for Monday, to other days in the week. Press ▼ until 'copy day' is highlighted. Press OK
13. 'No' will be highlighted under 'Tue'. If the same schedule is required for Tuesday, press ▲ until 'yes' appears. Press ▶ to move to Wednesday. Repeat this step until you have copied the schedule for the days you require. Press OK to confirm and return to the schedule timer screen
14. If you would like a different schedule, for example on the weekend, press ◀ until the days on the left-hand side are highlighted
15. Press ▲ or ▼ until the day you wish to adjust is highlighted. Press ▲ to enter schedule timer adjustment screen and adjust timer schedules as described in step 9
16. When all schedules are set, press OK and press ▼ until 'same schedule' is reached, press OK
17. Save the schedule timer under either 'user defined 1, 2 or 3'. Press ▲ or ▼ to move between the user schedules 1, 2 or 3. Press OK to confirm
18. You can edit the name of the schedule. Press ▲ or ▼ to adjust the first letter and ▶ to adjust the next letters. Press OK to confirm
19. Press ⌂ to return to the home screen

Changing the central heating timer settings

Continued...

20. Press ⚙ to enter menu and press ▼ until 'select schedules' is highlighted and press OK
21. When 'room temperature' is highlighted press OK
22. When 'heating' is highlighted, press OK
23. Press ▼ until the name of the schedule you have changed is highlighted and press OK

Your checklist for diagnosing possible faults

If the radiator is too cold check that the radiator TRV is set to a high enough level.
A room may become warm enough without the radiator being more than lukewarm.

Is the programmable thermostat set too low?
Check that the temperature on the programmable thermostat is set high enough to start the heat pump.

Is the mains power switched off?
Check that the heating switches are switched ON, including the switch located next to the outdoor unit.

In the event you have checked the points opposite, and the system still fails to operate normally, you can manually reset the system by turning off the power, waiting 60 seconds then turning it back on.

If the system still does not operate as normal, check the display on the controller for a fault code (typically a number and a letter for example 7H) and contact your housing association, making reference to the displayed code.

www.daikin.co.uk
For full user instructions, please refer to the Daikin Altherma operation manual.

your comfort. **our world.**

APPROVED PRODUCT

MCS HP0006

Visit **www.microgenerationcertification.org**
for a list of the latest MCS certified Daikin heat pumps

DAIKIN UK RECYCLING END OF LIFE AIR CON UNITS

Carbon Balanced Paper

FSC

EUROVENT CERTIFIED PERFORMANCE
www.eurovent-certification.com

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Pauline Davies
Springfield Retail Estates Management
4 Rutland Square
Edinburgh

Our ref 673868/FRS/001
Telephone 0141 341 5223
E-mail JPhillips@EnviroCentre.co.uk

25 June 2020

Dear Pauline

Hopeman Service Station, Forsyth Street
Level 1 Flood Risk Statement

Please find attached a Level 1 Flood Risk Statement for your site in Hopeman, Moray. The flood risk statement is supported by SEPA flood maps and GIS analysis.

An overland flow analysis and review of the SEPA flood maps highlighted that there was a risk of pluvial flow from Gallow Hill accumulating south of the site within an existing ditch but not within the site. In 2018, a swale and attenuation basin was constructed to collect surface water from potential developments around the south of Hopeman including the proposed site at Hopeman Service Station. The swale is designed to intercept flows from the hill and will improve drainage around the site reducing the pluvial flood risk. This existing drainage infrastructure is designed to protect the site against a 1 in 200 year RP overland flow from Gallow Hill.

The assessment of flooding from all sources concluded there was no risk of flooding from fluvial, coastal or groundwater sources.

Yours sincerely
for EnviroCentre Ltd

(issued electronically)

John Phillips
Senior Consultant

Martin Nichols
Principal Consultant

Enc: Hopeman Service Station: Level 1 Flood Risk Statement
Hopeman, Moray Attenuation Design Support: 368688/EO/001
CC:

HOPEMAN SERVICE STATION: LEVEL 1 FLOOD RISK STATEMENT

Site Location and Development Description

The site is located in the village of Hopeman, Moray. The proposed development is to be located on the land of the Hopeman Service Station on Forsyth Road. The representative National Grid Reference (NGR) of the site is NJ 14749 69255. The development site has an area of approximately 0.3ha. The location plan is presented in Figure 0.1. The proposed development is for the construction of a retail unit, a light industrial unit and two blocks of flats comprising of eight units in total.

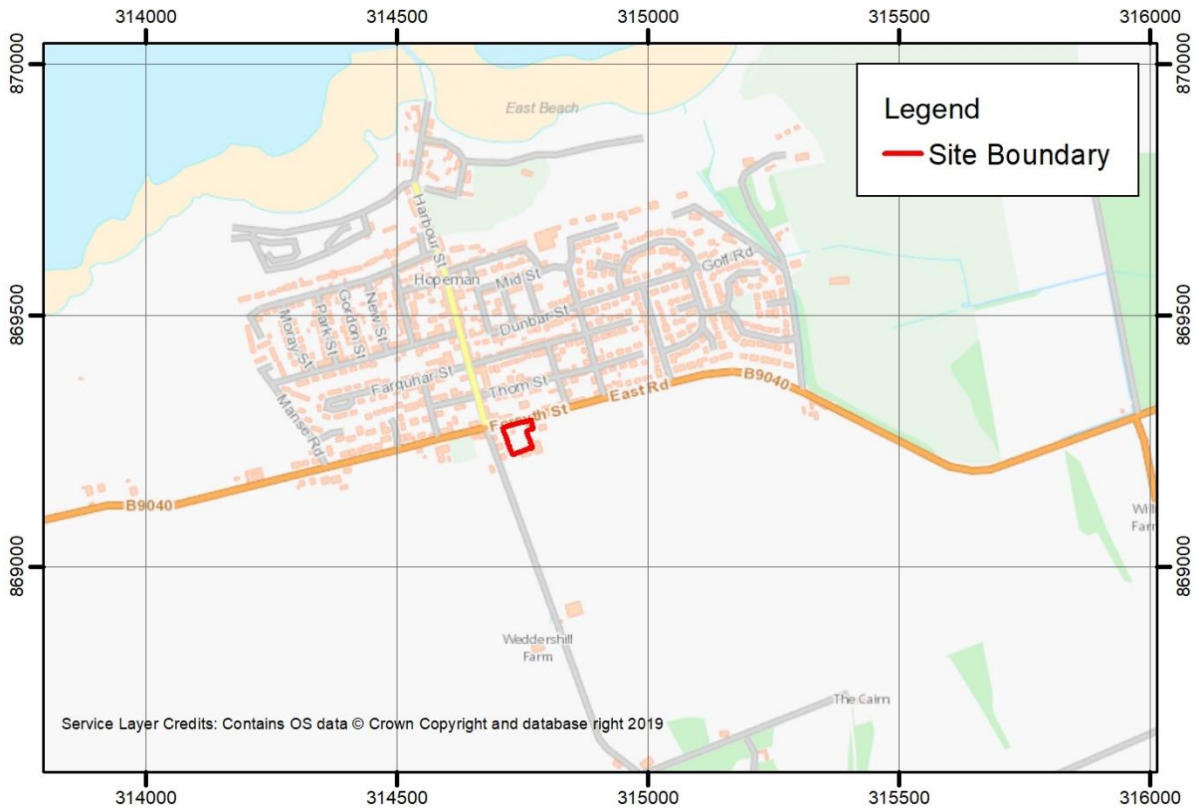

Figure 0.1: Site location

Development Drainage

In 2018, a swale and attenuation basin was constructed to the south of the site (Planning Reference 17/00894/APP). The supporting documentation for the design of the drainage is provided in the enclosed Hopeman, Moray Attenuation Design Support (368688/EO/001).

The contributing catchment to inform the design of this swale and attenuation basin included the proposed development site. The scheme was designed to attenuate the runoff generated in a 1 in 200 year RP + 20% climate change event from the fields to the south of site. The basin releases the flows into the receiving ditch downstream of the site at less than the 1 in 2 year RP greenfield runoff rate.

Surface water runoff from the Hopeman Service Station development site will be collected in an underground drainage network. This network will discharge into the existing swale located to the south of the site. The swale in turn discharges to the existing attenuation basin. Further discussion on the drainage of the site is provided in the drainage impact assessment (10045/CIVIL/R001).

Site Topography and Hydrology

The topography of the site and surrounds has been assessed using the LiDAR DTM data from the Scottish Remote Sensing Portal (https://remotesensingdata.gov.scot/). The DTM data, which includes part of Gallow Hill, is from the LiDAR Phase 1 survey, which was collected between March 2011 and May 2012, prior to the 2018 construction of the swale and attenuation basin.

Within the site the topography is relatively flat, with a maximum elevation of approximately 28mAOD in the south-west corner of the site and a minimum elevation of approximately 27mAOD in the north-east corner of the site. The direction of slope within the site is therefore from the south-west towards the north-east corner onto Forsyth Road. The ground elevation for the site and surrounding area is presented in Figure 0.2.

To the south of the site is Gallow Hill which has a maximum elevation of approximately 70mAOD, sloping down towards the site. Between the foot of Gallow hill and the site is a small ditch. The ditch flows in a east-north-east direction. A cross section of the ditch from Gallow Hill to the site is presented in Figure 0.3. As noted previously, since the collection of data for the DTM used in this assessment a swale has been constructed to the south of the existing ditch.

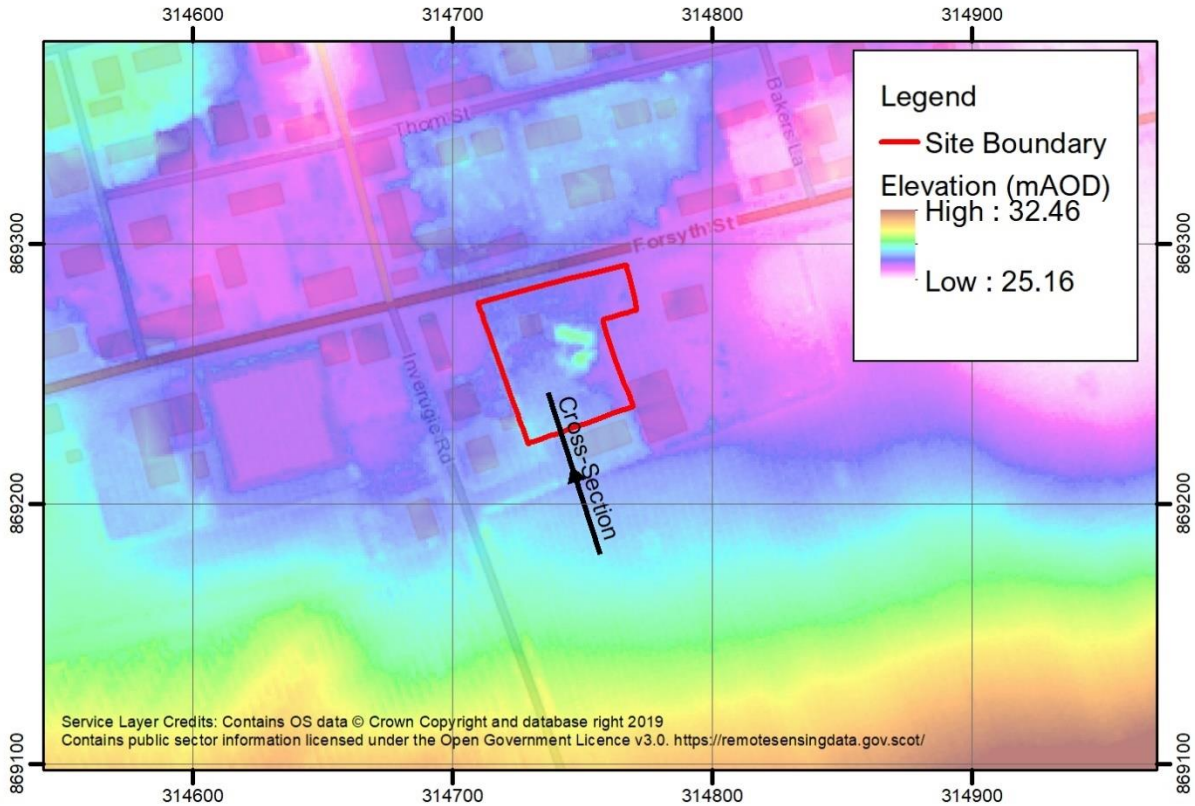

Figure 0.2: Ground elevation excluding the Swale

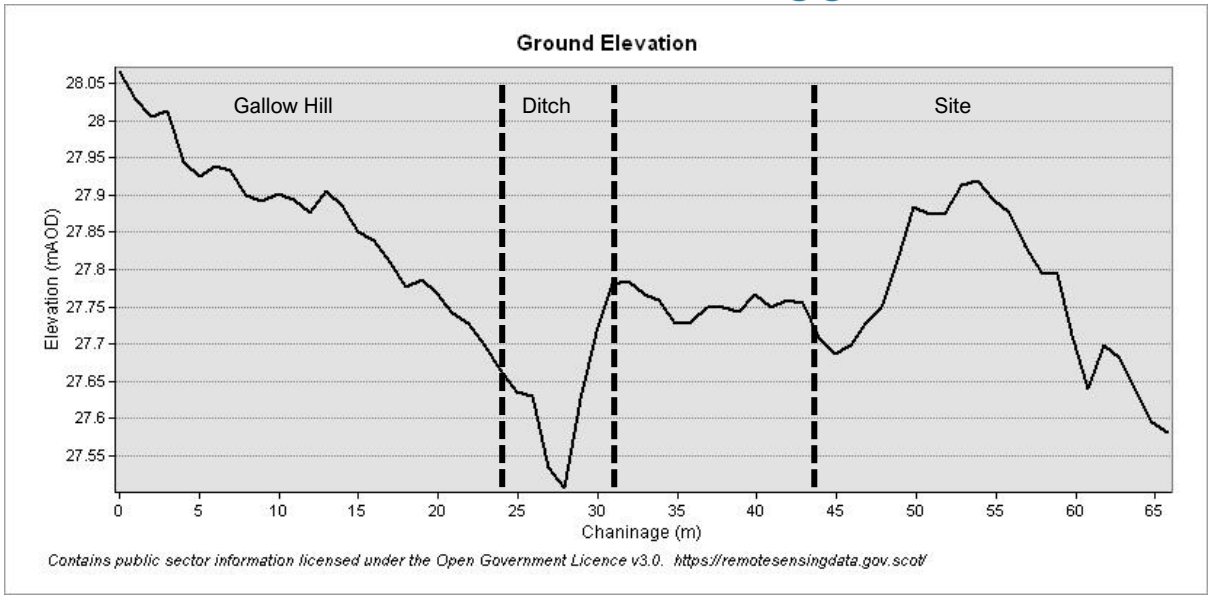

Figure 0.3: Cross-section profile of the ground level from south to north

SEPA Flood Maps

SEPA flood maps have been used to support this assessment. The SEPA flood maps consider three probabilities of flood occurrence, high likelihood (1 in 10 year RP); medium likelihood (1 in 200 year RP); and, low likelihood (1 in 1000 year RP).

Table 0.1: SEPA flood map assessment for all flooding sources

Flooding Source	Description
Coastal	SEPA flood maps do not indicate coastal flood risk within the vicinity of the site.
Fluvial	SEPA flood maps do not indicate fluvial flood risk within the vicinity of the site.
Groundwater	SEPA flood maps do not indicate groundwater flood risk within the vicinity of the site.
Pluvial	SEPA flood maps do not indicate pluvial flood risk within the site. The maps do show high pluvial flood risk to the south of the site. The maps show multiple small ponding locations around the south of the site. It is likely that flow from Gallow hill is collecting in the ditch and depressions in the ground elevation model, creating small disperse ponding. The SEPA flood maps do not include the new swale constructed in 2018, which has improved the drainage in the area.

Overland Flow Analysis

Overland flow analysis has been undertaken using the 3D analyst extension in ArcGIS, with the input LiDAR DTM dataset which does not include the swale or attenuation basin. The results are presented in Figure 0.4, and highlight overland flow is likely to accumulate on Gallow hill and flow towards the

site. Due to the steep nature of the hill the runoff from the hill is diffuse in nature and is not confined to a clearly defined flow path or channel. At the foot of the hill the existing ditch collects this runoff from the hill, and protect the site from inundation. The 2018 construction of a swale will have enhanced the collection and conveyance of flow from the foot of Gallow Hill, away from the site towards the associated attenuation basin.

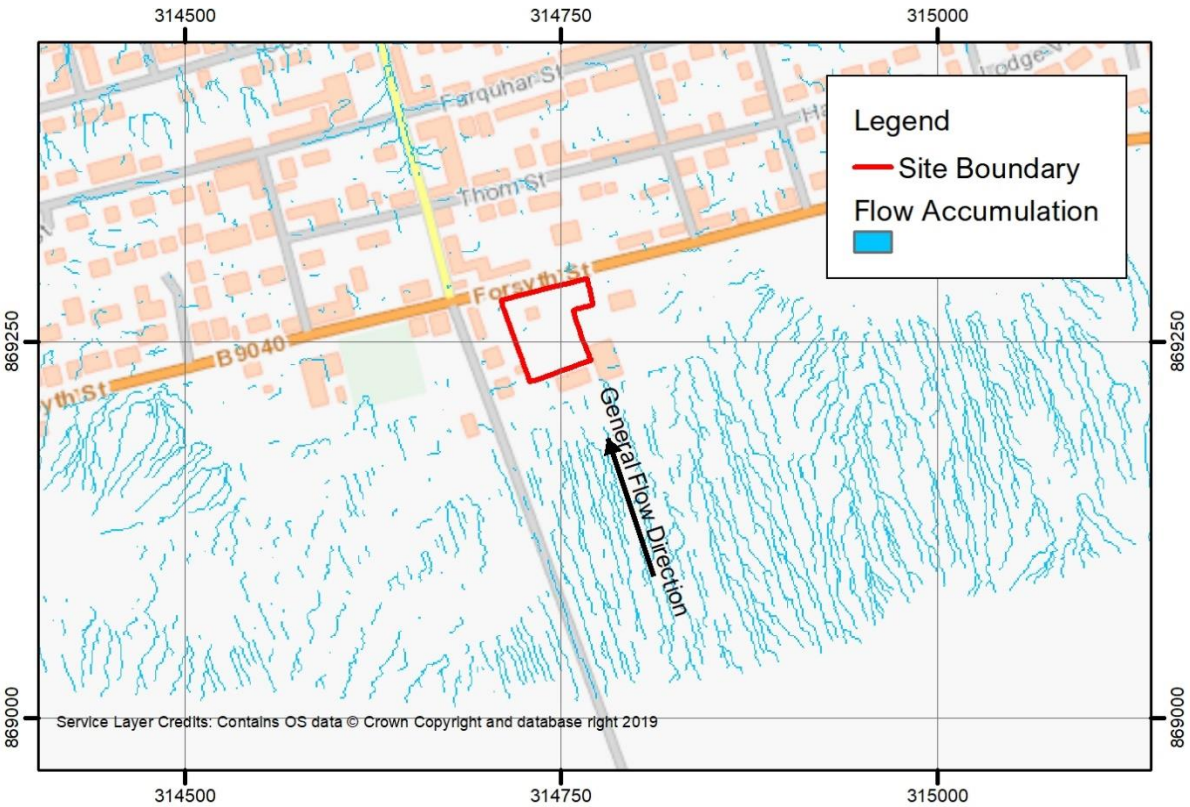

Figure 0.4: Overland flow analysis and general flow direction towards the site

Assessment of Flood Risk from All Sources

Flooding Source	Description	Mitigation
Coastal	The site has an elevation of approximately 27mAOD and is located 610m from the coast. The site is not at risk of coastal flooding.	No mitigation required
Fluvial	There is no significant watercourse within the vicinity of the site. SEPA flood maps do not indicate that the site is at risk of fluvial flooding. Therefore it is considered that the site is not at risk of fluvial flooding.	No mitigation required
Groundwater	SEPA flood maps do not indicate any groundwater flood risk within the vicinity of the	No mitigation required

Flooding Source	Description	Mitigation
	site. The nearest low probability of groundwater flooding is to the north-east, approximately 2.6km from the site. It is considered that the site is not at risk from groundwater flooding.	
Pluvial	The site is located at the bottom of Gallow Hill. Overland flow analysis shows that there is a risk that overland flow will discharge down the hill towards the site and accumulate in the ditch to the south of the site. This agrees with the SEPA flood map which shows a risk of ponding south of the site. A review of local topography, including a cross-sectional ground prolife, shows the site is protected by higher elevation ground between the ditch and the site. In 2018, a swale was constructed at the foot of Gallow Hill. The swale is designed to improve drainage from Gallow Hill. It intercepts runoff from the hill and conveys it to the associated attenuation basin. The construction of the swale and attenuation basin has further reduced pluvial flood risk around the site. Neither the SEPA flood maps nor the overland flow analysis show the site is at risk of flooding.	The proposed development surface water drainage network will collect flow from within the site. The receiving water for this surface water will be the existing swale. This swale will direct flow to the associated attenuation basin. The basin will then release the flow into the receiving ditch at less than the 1 in 2 year RP greenfield runoff rate. The swale also intercepts flows from Gallow Hill. Which reduces the risk of ponding around to the site. This scheme has been designed to protect the site against the 1 in 200 year RP event.

Conclusion

This assessment has shown that there is no likely risk of flooding from coastal, fluvial, groundwater or pluvial sources to the development site. Mitigation is not required to protect against flooding from coastal, fluvial and groundwater sources. The proposed and existing mitigation for pluvial flooding will protect the site against any potential pluvial flooding originating from Gallow hill to the south, the development drainage scheme has been designed to protect the site for events up to and including a 1 in 200 year RP.

HOPEMAN, MORAY ATTENUATION DESIGN SUPPORT: 368688/EO/001

Alasdair Mackie
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FK5 4RX

Our ref 368688/EO/001
Telephone 0131 516 9530
E-mail eowens@envirocentre.co.uk

22 May 2017

Dear Alasdair

Hopeman, Moray
Drainage Improvement Design Support

Please find attached our detailed designs for the proposed drainage improvement scheme at Hopeman, Moray.

The proposed scheme will attenuate the runoff generated in a 1 in 200 year + 20% climate change event from the fields to the south of Hopeman, and release the flows into the current receiving ditch downstream of the site at less than the 1 in 2 year greenfield runoff rate.

The proposed scheme is designed to intercept and attenuate runoff from the fields to the south of Hopeman.

Yours sincerely
for EnviroCentre Ltd

(issued electronically)

Emer Owens
Senior Civil Engineer

Jennifer MacDonald
Senior Environmental Consultant

Enc: Hopeman Attenuation Calculations
Appendix A: Field Drain Drawings
Appendix B: Catchments
Appendix C: Catchment Descriptors
Appendix D: Greenfield Runoff Rates (ReFH2)
Appendix E: Greenfield Runoff Rates (IH124)

HOPEMAN ATTENUATION CALCULATIONS

Introduction

Terms of Reference

1. EnviroCentre Ltd has been commissioned by Springfield Properties PLC to design a drainage improvement scheme for a site immediately to the south of Hopeman, Moray. The site is shown in Appendix B with the centre of the catchment located at grid reference NJ 14960 68983. EnviroCentre Ltd has previously examined runoff volumes for the site (Ref: 368688/JMD/001).

Scope of Report

2. There are existing flooding issues caused by runoff from the fields to the south of Hopeman. In response to this, Springfield Properties installed a field drain running parallel to Forsyth Street/East Road in order to route runoff into the existing ditch which extends along the western edge of the golf course. The design drawings for the existing field drain are provided in Appendix A.

3. Following two storm events in 2014, Moray Council commissioned JBA Consulting to undertake an appraisal of the field drain and its conveyance capacity. JBA have determined that the field drain does not have sufficient capacity to convey the 1 in 2 year runoff volume (JBA Consulting, 2016). Springfield Properties Ltd therefore intends to install further drainage improvement features to cope with the volume of runoff generated in storm events up to the 0.5% Annual Exceedance Probability (AEP), or 1 in 200 year return period event, plus an additional 20% to allow for future climate change.

4. Springfield Properties has developed an outline drainage improvement design whereby an attenuation basin will be incorporated into the existing drainage design. The attenuation basin will be located next to the shallowest section of ditch and will be used to store the runoff exceeding the capacity of the existing field drain, up to the 0.5% AEP + 20% climate change runoff volume. The attenuation basin will be tied into the field drain at its eastern and western extents to ensure that all runoff from the site is routed through the basin.

5. The purpose of this report is to provide the detailed designs for the drainage improvement features (including supporting calculations) required for the site, to cope with the volume of runoff generated in storm events with magnitudes up to 0.5% AEP + 20% climate change.

6. The proposed layout of the scheme is provided in drawing 368688-001.

Hydrology

Catchment Delineation

7. The catchment of the existing field drain was delineated using OS Terrain 50 contours and is shown in Appendix B. In order to be conservative, the catchment has been extended to the boundary of the western fields. The catchment of the entire site has an area of approximately 67ha. This catchment area has been used for the hydrological calculations of the attenuation basin detailed below.

8. An access road currently extends north westwards through the site. In recent extreme rainfall events, this access road has been the preferential flow route for runoff from the western fields. The western fields comprise 42% of the site catchment area (28ha). The western field catchment is also shown in Appendix B and has been used for the hydrological calculations of the conveyance swale detailed below.

Greenfield Runoff Rates

9. The catchment characteristics used in the calculations were derived from the catchment of the receiving ditch to the north east of the site using the Flood Estimation Handbook (FEH) web service (CEH, 2015). The Standard Annual Average Rainfall (SAAR) for the site is 612mm. The BFI HOST value of 0.89 was considered to be unrepresentative of the site given the underlying glacial till drift geology (BGS, n.d.), and therefore this was adjusted based on gauged data for a nearby gauging station (7007 Black Burn at Monaughty). This provided a revised BFI HOST value of 0.66. A summary of the catchment descriptors obtained from the FEH web service is provided in Appendix C.

10. Greenfield runoff rates for the site were calculated using two alternative flow estimation methods in order to determine the standard of protection currently provided by the field drain and determine the appropriate volume of additional storage required to mitigate overland flood risk up to a 0.5% AEP + 20% climate change event.

11. The Institute of Hydrology Report 124 (Marshall & Bayliss, 1994) method was used to estimate the 0.5% AEP greenfield runoff rate for the site and produced a 0.5% AEP + 20% climate change greenfield runoff rate of 0.47m^3/s for the catchment of the field drain. The suggested SOIL factor of 0.15 for the site (derived from Winter Rainfall Acceptance Potential (WRAP) map) was considered to be too low based on the soil type (Humus-iron Podzols) and underlying superficial geology of the site (Glacial Till). The SOIL factor was therefore increased to 0.35 which is considered to better represent the site conditions.

12. The REFH2 Method (WHS, 2015) was also run for comparison. A critical storm duration of 6 hours was derived iteratively for the site and provided a 0.5% AEP greenfield runoff rate of 0.37m^3/s.

Table 1 Greenfield Runoff Rates

Flood Event	Western Fields Catchment		Entire Site Catchment	
	IH124 Method (m^3/s)	ReFH2 Method (m^3/s)	IH124 Method (m^3/s)	ReFH2 Method (m^3/s)
50% AEP	0.06	0.04	0.13	0.10
0.5% AEP	0.17	0.15	0.39	0.37
0.5% AEP + 20% Climate Change	0.21	0.19	0.47	0.44

13. In order to be conservative the higher flow estimates derived using the IH124 Method has been adopted in this study. The 0.5% AEP greenfield runoff rate including an additional 20% climate change allowance for the site is therefore assumed to be 0.47m^3/s. Supporting calculations are provided in Appendices D and E.

Existing Drainage Scheme

14. The capacity of the existing drainage system on site was studied, and is detailed in the EnviroCentre Ltd letter report (Ref 368688/JMD/001) dated 2 November 2016.

15. The result of the study found that the existing field drain has sufficient capacity to convey approximately 0.062m^3/s, but that the outflow from the site is restricted by the current culvert under East Road. Based on information provided by Springfield Properties PLC, the culvert under East Road is estimated to convey 0.016m^3/s and this is therefore considered to be the maximum outflow rate for the site. This is significantly less than the calculated 1 in 2 year greenfield runoff rate of 0.13m^3/s.

Flow Attenuation Requirements

16. In order to prevent overland flows from the fields to the south of Hopeman from affecting Forsyth Street/East Road and the properties beyond, it is proposed that the drainage improvement features will be designed to store runoff which exceeds the current maximum outflow rate for the site, up to the 0.5% AEP + 20% climate change storm event.

17. The volume of attenuation required was calculated based on the volume of runoff generated within the site minus the volume of outflow from site, over the critical storm duration of six hours.

18. The volume of runoff generated within the site over the 0.5% AEP + 20% climate change storm duration was calculated to be 10,152m^3 based on a flow rate of 0.47m^3/s over the course of a six hour storm.

19. The volume of water leaving the site through the culvert under East Road has been calculated based on the maximum flow rate for the culvert (0.016m^3/s) over the course of a six hour storm duration. The outflow from the site is calculated to be 346m^3/s.

20. A required attenuation volume of approximately 9,800m^3 has therefore been calculated for the site based on the difference between the calculated runoff and controlled outflow volumes.

Attenuation Design

Outflow

21. The current culvert at the north east boundary of the site will remain as the only outflow from the site and therefore a flow of 0.016m^3/s has been used as the outflow rate from the drainage system.

Swale

22. The 0.5% AEP + 20% climate change runoff from the western field has been estimated at 0.21m^3/s (Table 1). The capacity of the section of field drain located within the western field has been estimated at 0.10m^3/s based on a gradient of 1 in 200 and a Ks value of 0.6mm (as used in Springfield Properties PLC calculations) in order to be conservative. The current field drain is therefore considered to have insufficient capacity to convey flows from the western fields to the attenuation basin which will be located within the eastern field.

23. In order to adequately convey the flow exceeding the capacity of the current field drain (0.11m^3/s), additional conveyance capacity will need to be provided. A swale, stretching from the western field boundary to the attenuation basin (as shown on drawing 368688-001), will be installed to provide this additional conveyance capacity.

24. The Conveyance Estimation System (Wallingford Software, 2008) has been used to design a swale with appropriate dimensions in order to provide the required attenuation capacity up to the 0.5% AEP + 20% climate change runoff rate. The proposed swale should be at least 0.5m deep with 1 in 3 side slopes. This will provide an overall top width of 3.5m. In a 0.5% AEP + 20% climate change storm event the depth of runoff through the swale will be approximately 0.3m.

25. A new culvert will be required under the existing access road between the fields. A required culvert diameter of 350mm has been estimated using the standard pipe tables (HR Wallingford, 2006) based on a 1 in 200 gradient and a Ks value of 0.6mm.

Attenuation Basin

26. As per the EnviroCentre letter report (REF 368688/JMD/001), the attenuation basin will be located in the north eastern corner of the site as this is where overland flows from the majority of the site will naturally pond (as shown in drawing 368688-002). The attenuation basin will be designed according to best practice Sustainable Drainage Systems (SuDS) guidance (Woods Ballard et al., 2015).

27. The proposed attenuation basin is to be 1.5m deep, and a total of 37m x 300m. Baffle walls are included to follow best practice guidance. Further details can be found on the engineering drawings in accompanying drawings 368688-002 to 368688-004.

28. The 1.5m depth includes a 600mm freeboard allowance. In a 0.5% AEP storm event, the design water level in the attenuation basin will be 24.65mAOD (depth of 0.9m). All storage within the attenuation basin, including the 600mm freeboard allowance will be provided below current ground levels. Due to the depth of the basin, a geotextile liner will be used in order to prevent ingress of groundwater during times when the groundwater table is high. This will ensure that the 'active' capacity of the basin is not reduced by groundwater ingress.

Shallow Landscaped Bund

29. The drainage improvement system has been designed so as not to rely solely on the attenuation basin in order to contain runoff within the site during extreme storm events. A shallow landscaped bund (at least 500mm high) will be installed along the northern boundary of the site (as shown on drawing 368688-001). This will provide an additional level of protection and will further prevent overland flows draining northwards off site during storm events which exceed the 0.5% AEP + 20% climate change design criteria.

30. The shallow bund will also extend southwards along eastern boundaries of both the western and eastern fields in order to direct any overland flows away from the access roads and ensure that all flows generated within the within the catchment to the south of Hopeman are attenuated as part of the drainage improvement scheme.

Construction

31. The floor of the SuDS attenuation basin will have a shallow fall towards the outlet to ensure basin is completely drained following storm events and minimise risk of erosion. The sides and base of the basin should be lined with a geotextile to increase stability and prevent ingress of groundwater.

32. In order to ensure that the attenuation basin operates as planned, a low bund (at least 500mm high) should be installed to the east of the attenuation basin running parallel to the existing field drain, in order to direct any overland flow from the strip of land east of the site, westwards into the attenuation basin.

33. A shallow landscaped bund should be installed immediately to the north of the field drain running parallel to it, in order to prevent any runoff exceeding the capacity of the existing field drain from flowing northwards off the site and bypassing the attenuation basin. The bund should be at least 500mm in height with side slopes no steeper than 1 in 3. Material excavated to create the attenuation basin would be used for this purpose.

34. Side slopes of the SuDS attenuation basin should not usually exceed 1 in 3; there should be appropriate access to the SuDS basin for maintenance activities such as grass cutting.

35. The pre-treatment swale acts to remove as much of the suspended solids and fine silts from the runoff as possible prior to entering the SuDS basin. The inlet channel should be stabilised using rip rap.

36. Immediately following construction, the base and side slopes should be stabilised with a dense, water tolerant grass. Some additional vegetation can stabilise slopes and prevent erosion. Fencing is not generally desirable however inlet and outlet pipes should not be accessible by small children.

37. Detailed drawings of the attenuation basin are provided in drawings 368688-002 to 368688-004.

Maintenance

38. Regular inspection and maintenance is important for the effective operation of attenuation basins. The areas in and around attenuation basins can be managed as “meadow”, unless additional management

is required for landscaping purposes. Inspection and maintenance will be undertaken by the landowners. The proposed maintenance schedule is outlined in Table 2.

Table 2 Maintenance Schedule

Monthly maintenance	Half Yearly	As Required
Litter & debris removal	Grass cutting (spring and autumn)	Re-seed areas of poor vegetation growth.
Manage vegetation		Prune & trim trees
Inspect outlets and inlets from blockages.		Remove sediment from pre-treatment swale (when 50% full)
Inspect banksides, structures and pipework for damage.		Repair of any damages or blockages. Rehabilitation of any surfaces as required.

Flood Risk

39. The proposed scheme has been designed to mitigate the current risk to the properties located along Forsyth Street/East Road as a result of overland flows from the fields to the south of Hopeman, for storm events with magnitudes up to the 0.5% AEP + 20% climate change level.

40. Due to concerns that increasing the outflow rate from the site may result in increased flood risk from the receiving ditch to the north east of the site, the current proposals have assumed that the culvert under East Road will not be upgraded as part of the proposed scheme. There will therefore be no increase in flood risk from the receiving ditch as a result of the proposals.

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APPENDIX A: FIELD DRAIN DRAWINGS

REV	DESCRIPTION	DATE

Springfield

SPRINGFIELD PROPERTIES PLC
ALEXANDER FLEMING HOUSE
8 SOUTHFIELD DRIVE
ELGIN
IV30 6GR

TEL 01343 552550 FAX 01343 551776
E-MAIL info@springfield.co.uk

IMPORTANT NOTES FOR CLIENTS / CONTRACTORS

NO WORKS ARE TO COMMENCE ON SITE UNTIL ALL RELEVANT APPROVALS HAVE BEEN OBTAINED. ANY DEVIATIONS TO THE APPROVED PLANS HAVE TO BE REPORTED TO THIS OFFICE. CONTRACTORS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK.
GIVEN DIMENSIONS ONLY TO BE USED *DO NOT SCALE*

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PROJECT
Hopeman
Proposed Storm Drainage

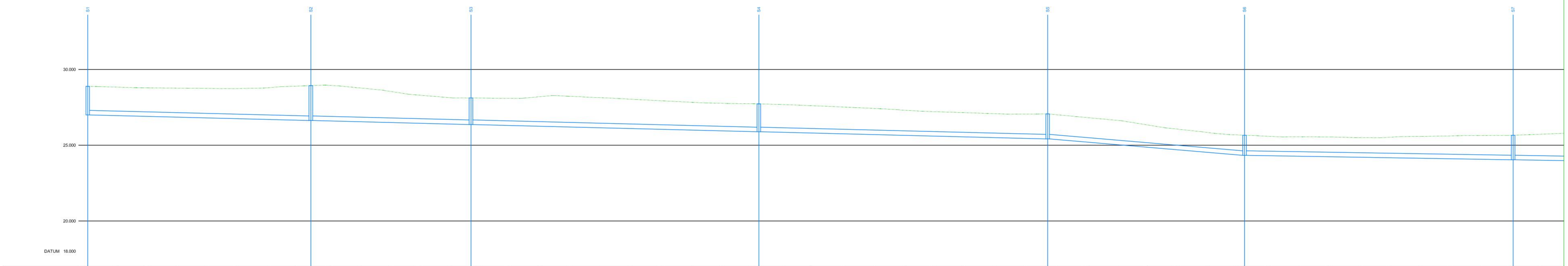
LOCATION
Hopeman

CLIENT
Springfield Properties Plc

DESCRIPTION
Proposed Storm Drainage

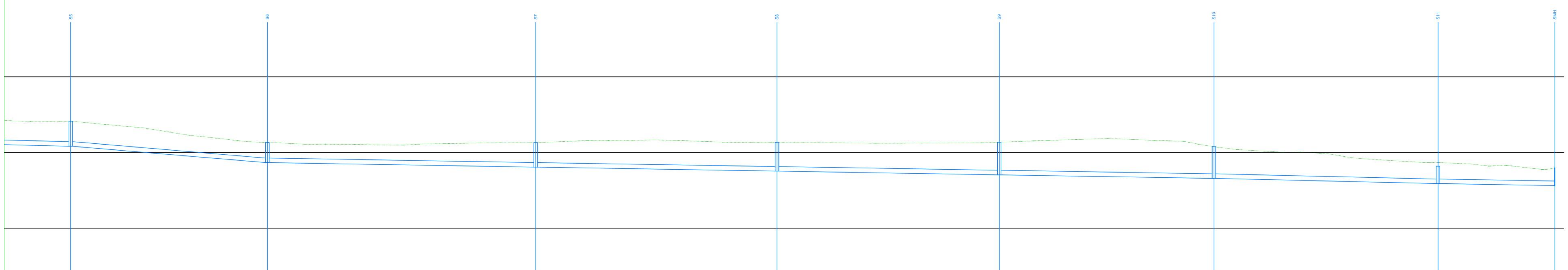
DRAWN	DATE	SCALE
R. Vitols	Mar 16	1:750

DWG No	CHECKED
ENG/600	BM



	S1		S2		S3		S4		S5		S6		S7
GROUND LEVEL	28.888, 28.833, 28.785, 28.769, 28.750, 28.743, 28.805, 28.910		28.950, 28.778, 28.550, 28.297, 28.131, 28.113		28.092, 28.220, 28.221, 28.132, 28.028, 27.929, 27.826, 27.766, 27.741		27.678, 27.601, 27.517, 27.426, 27.308, 27.213, 27.147, 27.079, 27.060, 27.009		26.821, 26.637, 26.328, 26.054, 25.828, 25.676		25.589, 25.552, 25.545, 25.504, 25.532, 25.583, 25.621, 25.641, 25.658		25.731
STORMWATER COVER LEVEL	28.888		28.936		28.123		27.732		27.069		25.661		25.660
STORMWATER INVERT	27.000		26.632 / 26.632		26.368 / 26.368		25.893 / 25.893		25.416 / 25.416		24.418 / 24.418		24.123 / 24.123
STORMWATER DETAILS		Pipe 1.000 Dia 300 Circular PLASTIC 1 in 200		Pipe 1.001 Dia 300 Circular PLASTIC 1 in 200		Pipe 1.002 Dia 300 Circular PLASTIC 1 in 200		Pipe 1.003 Dia 300 Circular PLASTIC 1 in 200		Pipe 1.004 Dia 300 Circular PLASTIC 1 in 65		Pipe 1.005 Dia 300 Circular PLASTIC 1 in 300	
STORMWATER LENGTHS		73.610		52.836		94.989		95.303		64.954		88.630	

REV	DESCRIPTION	DATE



	S5		S6		S7		S8		S9		S10		S11		SMH
GROUND LEVEL	27.079, 27.060, 27.009	26.821, 26.637, 26.328, 26.054, 25.828, 25.676		25.589, 25.552, 25.545, 25.504, 25.532, 25.583, 25.621, 25.641, 25.658		25.731, 25.789, 25.800, 25.831, 25.773, 25.703, 25.667, 25.664		25.646, 25.637, 25.614, 25.612, 25.621, 25.628, 25.656		25.734, 25.797, 25.869, 25.927, 25.843, 25.767, 25.527		25.245, 25.105, 25.014, 24.945, 24.654, 24.507, 24.384, 24.327		24.225, 24.146, 23.945	
STORMWATER COVER LEVEL	27.069		25.661		25.660		25.663		25.683		25.386		24.100		23.991
STORMWATER INVERT	25.416 / 25.416		24.418 / 24.418		24.123 / 24.123		23.858 / 23.858		23.613 / 23.613		23.377 / 23.377		23.130 / 23.130		23.000
STORMWATER DETAILS		Pipe 1.004 Dia 300 Circular PLASTIC 1 in 65		Pipe 1.005 Dia 300 Circular PLASTIC 1 in 300		Pipe 1.006 Dia 300 Circular PLASTIC 1 in 300		Pipe 1.007 Dia 300 Circular PLASTIC 1 in 300		Pipe 1.008 Dia 300 Circular PLASTIC 1 in 300		Pipe 1.009 Dia 300 Circular PLASTIC 1 in 300		Pipe 1.010 Dia 300 Circular PLASTIC 1 in 320	
STORMWATER LENGTHS		64.954		88.630		79.693		73.443		70.885		74.025		38.602	

Springfield

SPRINGFIELD PROPERTIES PLC
ALEXANDER FLEMING HOUSE
8 SOUTHFIELD DRIVE
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IMPORTANT NOTES FOR CLIENTS / CONTRACTORS

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PROJECT
Hopeman
Proposed Storm Drainage

LOCATION
Hopeman

CLIENT
Springfield Properties Plc

DESCRIPTION
Proposed Strom Drainage
Long Sections

DRAWN	DATE	SCALE
R. Vitols	Feb 16	1:200

DWG No	CHECKED
ENG/650 Rev 1	BM

MANHOLE SCHEDULE

Sheet 1 of 2

Manhole Number	Coordinates	Cover Level / Depth To Soffit	Connections	Pipe: Code	Pipe: Inverts	Pipe: Diams Inv-soff	Manhole Size	Types: Manhole	Types: Cover
S1	E. 314562.616 N. 869145.580	28.888 1.588	0	0 1.000	27.000	300	1200	B	675
S2	E. 314634.802 N. 869159.991	28.936 2.004	1 0	1 1.000 0 1.001	26.632 26.632	300 300	1200	B	675
S3	E. 314686.678 N. 869170.017	28.123 1.455	1 0	1 1.001 0 1.002	26.368 26.368	300 300	1200	B	675
S4	E. 314776.367 N. 869201.300	27.732 1.539	1 0	1 1.002 0 1.003	25.893 25.893	300 300	1200	B	675
S5	E. 314866.476 N. 869232.333	27.069 1.353	1 0	1 1.003 0 1.004	25.416 25.416	300 300	1200	B	675
S6	E. 314884.396 N. 869294.765	25.661 1.027	1 0	1 1.004 0 1.005	24.334 24.334	300 300	1200	E	675

MANHOLE SCHEDULE

Sheet 2 of 2

Manhole Number	Coordinates	Cover Level / Depth To Soffit	Connections	Pipe: Code	Pipe: Inverts	Pipe: Diams Inv-soff	Manhole Size	Types: Manhole	Types: Cover
S7	E. 314970.361 N. 869316.337	25.660 1.322	1 0	1 1.005 0 1.006	24.038 24.038	300 300	1200	B	675
S8	E. 315047.627 N. 869335.855	25.663 1.590	1 0	1 1.006 0 1.007	23.773 23.773	300 300	1200	B	675
S9	E. 315119.486 N. 869351.027	25.683 1.855	1 0	1 1.007 0 1.008	23.528 23.528	300 300	1200	B	675
S10	E. 315188.696 N. 869366.344	25.386 1.794	1 0	1 1.008 0 1.009	23.292 23.292	300 300	1200	B	675
S11	E. 315259.095 N. 869343.463	24.100 0.850	1 0	1 1.009 0 1.010	22.950 22.950	300 300	1200	E	675
SMH	E. 315297.684 N. 869342.456	23.991 0.870	1	1 1.010	22.821	300 150	PIPE	OUTFALL	N/A

REV	DESCRIPTION	DATE

Springfield

SPRINGFIELD PROPERTIES PLC
ALEXANDER FLEMING HOUSE
8 SOUTHFIELD DRIVE
ELGIN
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E-MAIL info@springfield.co.uk

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PROJECT
Hopeman
Proposed Storm Drainage

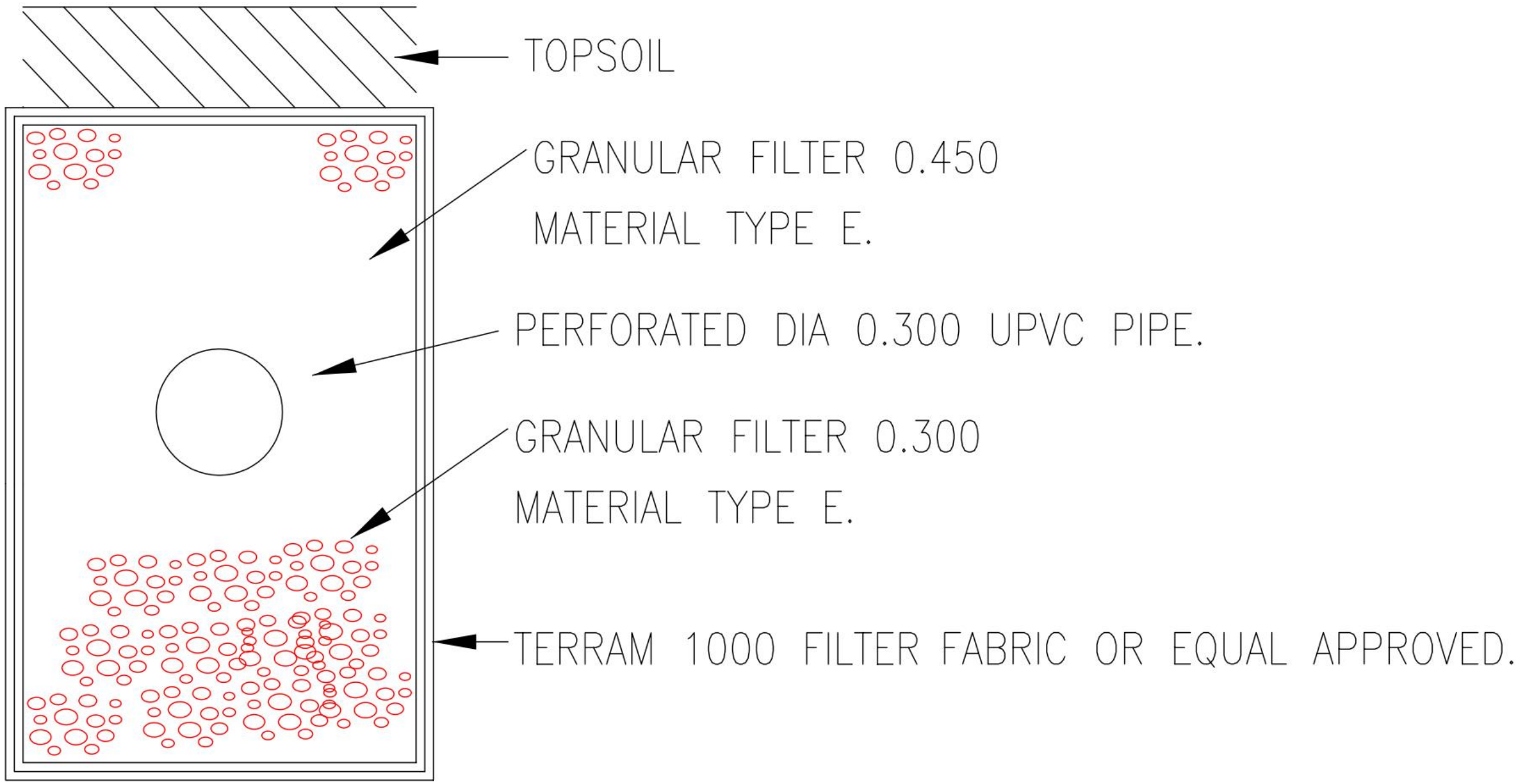
LOCATION
Hopeman

CLIENT
Springfield Properties Plc

DESCRIPTION
Manhole Schedule

DRAWN	DATE	SCALE
R. Vitols	Feb 16	NTS

DWG No	CHECKED
ENG/660	BM



Typical Filter Drain

REV	DESCRIPTION	DATE

Springfield

SPRINGFIELD PROPERTIES PLC
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PROJECT
Hopeman
Proposed Storm Drainage

LOCATION
Hopeman

CLIENT
Springfield Properties Plc

DESCRIPTION
Drainage Detail

DRAWN	DATE	SCALE
R. Vitols	Feb 16	NTS

DWG No	CHECKED
ENG/661	BM

APPENDIX B: CATCHMENTS

Legend

- Site Catchment
- Western Fields Catchment
- Culvert
- Field Drain
- 5m Contours

Do not scale this map

Client	Springfield Properties Ltd
Project	Land at Hopeman, Moray
Title	Field Drain Catchment
Status	Final
Drawing No.	368688 - 005
Revision	
Scale	1:7,500
A3	
Date	08 Dec 2016
Drawn	JMC
Checked	NG
Approved	NG

ENVIRO Centre
Craighall Business Park, Eagle Street, Glasgow, G4 9XA
Tel: 0141 341 5040
Fax: 0141 341 5045

APPENDIX C: CATCHMENT DESCRIPTORS

Catchment	NJ 15100 69800
AREA	0.5175
ALTBAR	32
ASPBAR	356
ASPVAR	0.78
BFIHOST	0.889
DPLBAR	0.75
DPSBAR	33
FARL	1
FPEXT	0.0531
FPDBAR	0.208
FPLOC	0.729
LDP	1.4
PROPWET	0.42
RMED-1H	8.7
RMED-1D	33.7
RMED-2D	42.5
SAAR	612
SAAR4170	742
SPRHOST	15.15
URBCONC1990	0.429
URBEXT1990	0.0121
URBLOC1990	0.137
URBCONC2000	0.412
URBEXT2000	0.0614
URBLOC2000	0.38
C	-0.013
D1	0.41687
D2	0.35361
D3	0.2421
E	0.25
F	2.26671
C(1 km)	-0.013
D1(1 km)	0.418
D2(1 km)	0.352
D3(1 km)	0.244
E(1 km)	0.25
F(1 km)	2.262

APPENDIX D: GREENFIELD RUNOFF RATES (REFH2)

UK Design Flood Estimation

Generated on Wednesday, November 02, 2016 4:14:11 PM by JPrice
Printed from the ReFH Flood Modelling software package, version 2.2.6029.28099

Summary of estimate using the Flood Estimation Handbook revitalised flood hydrograph method (ReFH)

Site details Checksum: 8B63-41E2

Site name: Hopeman 368688

Easting: 315100

Northing: 869800

Country: Scotland

Catchment Area (km^2): 0.62 [0.52]*

Using plot scale calculations: Yes

Site description: None

Model run: 2 year

Summary of results

Rainfall - FEH 2013 (mm):	22.72	Total runoff (ML):	2.12
Total Rainfall (mm):	22.11	Total flow (ML):	4.98
Peak Rainfall (mm):	2.81	Peak flow (m^3/s):	0.09

Parameters

Where the user has overriden a system-generated value, this original value is shown in square brackets after the value used.
** Indicates that the user locked the duration/timestep*

Rainfall parameters (Rainfall - FEH 2013 model)

Name	Value	User-defined?
Duration (hh:mm:ss)	06:10:00 [09:00:00]	Yes
Timestep (hh:mm:ss)	00:10:00 [01:00:00]	Yes
SCF (Seasonal correction factor)	0.99	No
ARF (Areal reduction factor)	0.98	No
Seasonality	Summer	n/a

Loss model parameters

Name	Value	User-defined?
Cini (mm)	81.64	No
Cmax (mm)	598.65	No
Use alpha correction factor	No	No
Alpha correction factor	n/a	No

Routing model parameters

Name	Value	User-defined?
Tp (hr)	5.12	No
Up	0.65	No
Uk	0.8	No

Baseflow model parameters

Name	Value	User-defined?
BF0 (m^3/s)	0.02	No
BL (hr)	26.57	No
BR	1.35	No

Urbanisation parameters

Name	Value	User-defined?
Urban area (km^2)	0 [0.06]	Yes
Urbext 2000	0 [0.06]	Yes
Impervious runoff factor	0.7	No
Imperviousness factor	0.3	No
Tp scaling factor	0.5	No
Sewered area (km^2)	0.00	Yes
Sewer capacity (m^3/s)	0.00	Yes

Time series data

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
00:00:00	0.1319	0.0000	0.0180	0.0000	0.0208	0.0208
00:10:00	0.1476	0.0000	0.0202	0.0000	0.0207	0.0207
00:20:00	0.1656	0.0000	0.0227	0.0000	0.0206	0.0206
00:30:00	0.1861	0.0000	0.0256	0.0001	0.0204	0.0205
00:40:00	0.2096	0.0000	0.0288	0.0001	0.0203	0.0204
00:50:00	0.2367	0.0000	0.0327	0.0002	0.0202	0.0204
01:00:00	0.2679	0.0000	0.0371	0.0003	0.0201	0.0203
01:10:00	0.3041	0.0000	0.0422	0.0004	0.0199	0.0203
01:20:00	0.3465	0.0000	0.0483	0.0005	0.0198	0.0204
01:30:00	0.3963	0.0000	0.0555	0.0007	0.0197	0.0204
01:40:00	0.4554	0.0000	0.0641	0.0009	0.0196	0.0205
01:50:00	0.5264	0.0000	0.0745	0.0012	0.0195	0.0207
02:00:00	0.6127	0.0000	0.0873	0.0015	0.0194	0.0209
02:10:00	0.7197	0.0000	0.1034	0.0019	0.0192	0.0211
02:20:00	0.8561	0.0000	0.1241	0.0023	0.0191	0.0215
02:30:00	1.0375	0.0000	0.1520	0.0028	0.019	0.0219
02:40:00	1.2983	0.0000	0.1928	0.0034	0.019	0.0224
02:50:00	1.7540	0.0000	0.2649	0.0042	0.0189	0.023
03:00:00	2.8083	0.0000	0.4348	0.0051	0.0188	0.0239
03:10:00	1.7540	0.0000	0.2783	0.0062	0.0187	0.0249
03:20:00	1.2983	0.0000	0.2093	0.0076	0.0187	0.0263
03:30:00	1.0375	0.0000	0.1693	0.0092	0.0186	0.0278
03:40:00	0.8561	0.0000	0.1410	0.0109	0.0186	0.0295
03:50:00	0.7197	0.0000	0.1195	0.0127	0.0186	0.0313
04:00:00	0.6127	0.0000	0.1024	0.0146	0.0186	0.0332
04:10:00	0.5264	0.0000	0.0885	0.0166	0.0186	0.0352
04:20:00	0.4554	0.0000	0.0769	0.0187	0.0186	0.0373
04:30:00	0.3963	0.0000	0.0672	0.0208	0.0187	0.0395
04:40:00	0.3465	0.0000	0.0590	0.0230	0.0187	0.0417
04:50:00	0.3041	0.0000	0.0519	0.0252	0.0188	0.044
05:00:00	0.2679	0.0000	0.0459	0.0275	0.0189	0.0464
05:10:00	0.2367	0.0000	0.0406	0.0297	0.019	0.0488
05:20:00	0.2096	0.0000	0.0361	0.0321	0.0192	0.0512
05:30:00	0.1861	0.0000	0.0321	0.0344	0.0193	0.0537
05:40:00	0.1656	0.0000	0.0286	0.0367	0.0195	0.0562

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
05:50:00	0.1476	0.0000	0.0255	0.0390	0.0197	0.0587
06:00:00	0.1319	0.0000	0.0228	0.0413	0.0199	0.0612
06:10:00	0.0000	0.0000	0.0000	0.0435	0.0202	0.0637
06:20:00	0.0000	0.0000	0.0000	0.0458	0.0204	0.0662
06:30:00	0.0000	0.0000	0.0000	0.0480	0.0207	0.0686
06:40:00	0.0000	0.0000	0.0000	0.0501	0.021	0.0711
06:50:00	0.0000	0.0000	0.0000	0.0522	0.0213	0.0734
07:00:00	0.0000	0.0000	0.0000	0.0542	0.0216	0.0758
07:10:00	0.0000	0.0000	0.0000	0.0561	0.0219	0.078
07:20:00	0.0000	0.0000	0.0000	0.0579	0.0223	0.0802
07:30:00	0.0000	0.0000	0.0000	0.0597	0.0226	0.0823
07:40:00	0.0000	0.0000	0.0000	0.0612	0.023	0.0842
07:50:00	0.0000	0.0000	0.0000	0.0627	0.0234	0.086
08:00:00	0.0000	0.0000	0.0000	0.0639	0.0237	0.0876
08:10:00	0.0000	0.0000	0.0000	0.0648	0.0241	0.0889
08:20:00	0.0000	0.0000	0.0000	0.0653	0.0245	0.0898
08:30:00	0.0000	0.0000	0.0000	0.0654	0.0249	0.0903
08:40:00	0.0000	0.0000	0.0000	0.0653	0.0253	0.0906
08:50:00	0.0000	0.0000	0.0000	0.0649	0.0257	0.0906
09:00:00	0.0000	0.0000	0.0000	0.0644	0.0261	0.0905
09:10:00	0.0000	0.0000	0.0000	0.0638	0.0265	0.0903
09:20:00	0.0000	0.0000	0.0000	0.0631	0.0268	0.0899
09:30:00	0.0000	0.0000	0.0000	0.0622	0.0272	0.0894
09:40:00	0.0000	0.0000	0.0000	0.0613	0.0276	0.0888
09:50:00	0.0000	0.0000	0.0000	0.0602	0.0279	0.0881
10:00:00	0.0000	0.0000	0.0000	0.0591	0.0282	0.0874
10:10:00	0.0000	0.0000	0.0000	0.0580	0.0285	0.0865
10:20:00	0.0000	0.0000	0.0000	0.0568	0.0288	0.0856
10:30:00	0.0000	0.0000	0.0000	0.0555	0.0291	0.0847
10:40:00	0.0000	0.0000	0.0000	0.0542	0.0294	0.0837
10:50:00	0.0000	0.0000	0.0000	0.0529	0.0297	0.0826
11:00:00	0.0000	0.0000	0.0000	0.0516	0.0299	0.0815
11:10:00	0.0000	0.0000	0.0000	0.0502	0.0302	0.0804
11:20:00	0.0000	0.0000	0.0000	0.0488	0.0304	0.0792
11:30:00	0.0000	0.0000	0.0000	0.0474	0.0306	0.0781
11:40:00	0.0000	0.0000	0.0000	0.0461	0.0308	0.0769

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
11:50:00	0.0000	0.0000	0.0000	0.0447	0.031	0.0757
12:00:00	0.0000	0.0000	0.0000	0.0434	0.0312	0.0745
12:10:00	0.0000	0.0000	0.0000	0.0420	0.0314	0.0734
12:20:00	0.0000	0.0000	0.0000	0.0407	0.0315	0.0722
12:30:00	0.0000	0.0000	0.0000	0.0394	0.0316	0.0711
12:40:00	0.0000	0.0000	0.0000	0.0381	0.0318	0.0699
12:50:00	0.0000	0.0000	0.0000	0.0369	0.0319	0.0688
13:00:00	0.0000	0.0000	0.0000	0.0357	0.032	0.0677
13:10:00	0.0000	0.0000	0.0000	0.0345	0.0321	0.0666
13:20:00	0.0000	0.0000	0.0000	0.0334	0.0322	0.0656
13:30:00	0.0000	0.0000	0.0000	0.0324	0.0323	0.0647
13:40:00	0.0000	0.0000	0.0000	0.0315	0.0323	0.0638
13:50:00	0.0000	0.0000	0.0000	0.0306	0.0324	0.063
14:00:00	0.0000	0.0000	0.0000	0.0298	0.0324	0.0622
14:10:00	0.0000	0.0000	0.0000	0.0289	0.0325	0.0614
14:20:00	0.0000	0.0000	0.0000	0.0282	0.0325	0.0607
14:30:00	0.0000	0.0000	0.0000	0.0274	0.0325	0.0599
14:40:00	0.0000	0.0000	0.0000	0.0266	0.0326	0.0592
14:50:00	0.0000	0.0000	0.0000	0.0259	0.0326	0.0585
15:00:00	0.0000	0.0000	0.0000	0.0252	0.0326	0.0578
15:10:00	0.0000	0.0000	0.0000	0.0245	0.0326	0.0571
15:20:00	0.0000	0.0000	0.0000	0.0238	0.0326	0.0564
15:30:00	0.0000	0.0000	0.0000	0.0231	0.0326	0.0557
15:40:00	0.0000	0.0000	0.0000	0.0225	0.0326	0.0551
15:50:00	0.0000	0.0000	0.0000	0.0218	0.0326	0.0544
16:00:00	0.0000	0.0000	0.0000	0.0212	0.0325	0.0537
16:10:00	0.0000	0.0000	0.0000	0.0205	0.0325	0.053
16:20:00	0.0000	0.0000	0.0000	0.0199	0.0325	0.0524
16:30:00	0.0000	0.0000	0.0000	0.0193	0.0324	0.0517
16:40:00	0.0000	0.0000	0.0000	0.0186	0.0324	0.051
16:50:00	0.0000	0.0000	0.0000	0.0180	0.0324	0.0503
17:00:00	0.0000	0.0000	0.0000	0.0173	0.0323	0.0496
17:10:00	0.0000	0.0000	0.0000	0.0167	0.0322	0.049
17:20:00	0.0000	0.0000	0.0000	0.0161	0.0322	0.0483
17:30:00	0.0000	0.0000	0.0000	0.0154	0.0321	0.0476
17:40:00	0.0000	0.0000	0.0000	0.0148	0.032	0.0468

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
17:50:00	0.0000	0.0000	0.0000	0.0142	0.032	0.0461
18:00:00	0.0000	0.0000	0.0000	0.0135	0.0319	0.0454
18:10:00	0.0000	0.0000	0.0000	0.0129	0.0318	0.0447
18:20:00	0.0000	0.0000	0.0000	0.0123	0.0317	0.044
18:30:00	0.0000	0.0000	0.0000	0.0116	0.0316	0.0432
18:40:00	0.0000	0.0000	0.0000	0.0110	0.0315	0.0425
18:50:00	0.0000	0.0000	0.0000	0.0104	0.0314	0.0418
19:00:00	0.0000	0.0000	0.0000	0.0098	0.0313	0.041
19:10:00	0.0000	0.0000	0.0000	0.0091	0.0312	0.0403
19:20:00	0.0000	0.0000	0.0000	0.0085	0.031	0.0396
19:30:00	0.0000	0.0000	0.0000	0.0079	0.0309	0.0388
19:40:00	0.0000	0.0000	0.0000	0.0073	0.0308	0.0381
19:50:00	0.0000	0.0000	0.0000	0.0067	0.0307	0.0374
20:00:00	0.0000	0.0000	0.0000	0.0062	0.0305	0.0367
20:10:00	0.0000	0.0000	0.0000	0.0056	0.0304	0.036
20:20:00	0.0000	0.0000	0.0000	0.0050	0.0302	0.0353
20:30:00	0.0000	0.0000	0.0000	0.0045	0.0301	0.0346
20:40:00	0.0000	0.0000	0.0000	0.0040	0.0299	0.0339
20:50:00	0.0000	0.0000	0.0000	0.0034	0.0298	0.0332
21:00:00	0.0000	0.0000	0.0000	0.0030	0.0296	0.0326
21:10:00	0.0000	0.0000	0.0000	0.0025	0.0294	0.0319
21:20:00	0.0000	0.0000	0.0000	0.0021	0.0293	0.0314
21:30:00	0.0000	0.0000	0.0000	0.0017	0.0291	0.0308
21:40:00	0.0000	0.0000	0.0000	0.0014	0.0289	0.0304
21:50:00	0.0000	0.0000	0.0000	0.0012	0.0288	0.03
22:00:00	0.0000	0.0000	0.0000	0.0010	0.0286	0.0296
22:10:00	0.0000	0.0000	0.0000	0.0008	0.0284	0.0292
22:20:00	0.0000	0.0000	0.0000	0.0007	0.0283	0.0289
22:30:00	0.0000	0.0000	0.0000	0.0005	0.0281	0.0286
22:40:00	0.0000	0.0000	0.0000	0.0004	0.0279	0.0283
22:50:00	0.0000	0.0000	0.0000	0.0003	0.0277	0.0281
23:00:00	0.0000	0.0000	0.0000	0.0003	0.0276	0.0278
23:10:00	0.0000	0.0000	0.0000	0.0002	0.0274	0.0276
23:20:00	0.0000	0.0000	0.0000	0.0001	0.0272	0.0274
23:30:00	0.0000	0.0000	0.0000	0.0001	0.0271	0.0272
23:40:00	0.0000	0.0000	0.0000	0.0001	0.0269	0.027

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
23:50:00	0.0000	0.0000	0.0000	0.0000	0.0267	0.0268
24:00:00	0.0000	0.0000	0.0000	0.0000	0.0266	0.0266
24:10:00	0.0000	0.0000	0.0000	0.0000	0.0264	0.0264
24:20:00	0.0000	0.0000	0.0000	0.0000	0.0262	0.0262
24:30:00	0.0000	0.0000	0.0000	0.0000	0.0261	0.0261
24:40:00	0.0000	0.0000	0.0000	0.0000	0.0259	0.0259
24:50:00	0.0000	0.0000	0.0000	0.0000	0.0257	0.0257
25:00:00	0.0000	0.0000	0.0000	0.0000	0.0256	0.0256
25:10:00	0.0000	0.0000	0.0000	0.0000	0.0254	0.0254
25:20:00	0.0000	0.0000	0.0000	0.0000	0.0253	0.0253
25:30:00	0.0000	0.0000	0.0000	0.0000	0.0251	0.0251
25:40:00	0.0000	0.0000	0.0000	0.0000	0.025	0.025
25:50:00	0.0000	0.0000	0.0000	0.0000	0.0248	0.0248
26:00:00	0.0000	0.0000	0.0000	0.0000	0.0246	0.0246
26:10:00	0.0000	0.0000	0.0000	0.0000	0.0245	0.0245
26:20:00	0.0000	0.0000	0.0000	0.0000	0.0243	0.0243
26:30:00	0.0000	0.0000	0.0000	0.0000	0.0242	0.0242
26:40:00	0.0000	0.0000	0.0000	0.0000	0.024	0.024
26:50:00	0.0000	0.0000	0.0000	0.0000	0.0239	0.0239
27:00:00	0.0000	0.0000	0.0000	0.0000	0.0237	0.0237
27:10:00	0.0000	0.0000	0.0000	0.0000	0.0236	0.0236
27:20:00	0.0000	0.0000	0.0000	0.0000	0.0234	0.0234
27:30:00	0.0000	0.0000	0.0000	0.0000	0.0233	0.0233
27:40:00	0.0000	0.0000	0.0000	0.0000	0.0231	0.0231
27:50:00	0.0000	0.0000	0.0000	0.0000	0.023	0.023
28:00:00	0.0000	0.0000	0.0000	0.0000	0.0229	0.0229
28:10:00	0.0000	0.0000	0.0000	0.0000	0.0227	0.0227
28:20:00	0.0000	0.0000	0.0000	0.0000	0.0226	0.0226
28:30:00	0.0000	0.0000	0.0000	0.0000	0.0224	0.0224
28:40:00	0.0000	0.0000	0.0000	0.0000	0.0223	0.0223
28:50:00	0.0000	0.0000	0.0000	0.0000	0.0221	0.0221
29:00:00	0.0000	0.0000	0.0000	0.0000	0.022	0.022
29:10:00	0.0000	0.0000	0.0000	0.0000	0.0219	0.0219
29:20:00	0.0000	0.0000	0.0000	0.0000	0.0217	0.0217
29:30:00	0.0000	0.0000	0.0000	0.0000	0.0216	0.0216
29:40:00	0.0000	0.0000	0.0000	0.0000	0.0215	0.0215

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
29:50:00	0.0000	0.0000	0.0000	0.0000	0.0213	0.0213
30:00:00	0.0000	0.0000	0.0000	0.0000	0.0212	0.0212
30:10:00	0.0000	0.0000	0.0000	0.0000	0.0211	0.0211
30:20:00	0.0000	0.0000	0.0000	0.0000	0.0209	0.0209

Appendix

Catchment descriptors *

Name	Value	User-defined value used?
Area (km^2)	0.62 [0.52]	**Yes**
ALTBAR	32	No
ASPBAR	356	No
ASPVAR	0.78	No
BFIHOST	0.66 [0.89]	**Yes**
DPLBAR (km)	0.75	No
DPSBAR (mkm^{-1})	33	No
FARL	1	No
LDP	1.4	No
PROPWET (mm)	0.49 [0.42]	**Yes**
RMED1H	8.7	No
RMED1D	33.7	No
RMED2D	42.5	No
SAAR (mm)	612	No
SAAR4170 (mm)	742	No
SPRHOST	15.15	No
Urbext2000	0 [0.06]	**Yes**
Urbext1990	0.01	No
URBCONC	0.41	No
URBLOC	0.38	No
Urban Area (km^2)	0 [0.06]	**Yes**
DDF parameter C	-0.01	No
DDF parameter D1	0.42	No
DDF parameter D2	0.35	No
DDF parameter D3	0.24	No
DDF parameter E	0.25	No
DDF parameter F	2.27	No
DDF parameter C (1km grid value)	-0.01	No
DDF parameter D1 (1km grid value)	0.42	No
DDF parameter D2 (1km grid value)	0.35	No
DDF parameter D3 (1km grid value)	0.24	No
DDF parameter E (1km grid value)	0.25	No
DDF parameter F (1km grid value)	2.26	No

Values in square brackets are the original values loaded from the FEH Web Service or FEH CD-ROM

UK Design Flood Estimation

Generated on Wednesday, November 02, 2016 4:13:49 PM by JPrice
Printed from the ReFH Flood Modelling software package, version 2.2.6029.28099

Summary of estimate using the Flood Estimation Handbook revitalised flood hydrograph method (ReFH)

Site details Checksum: 8B63-41E2

Site name: Hopeman 368688

Easting: 315100

Northing: 869800

Country: Scotland

Catchment Area (km^2): 0.62 [0.52]*

Using plot scale calculations: Yes

Site description: None

Model run: 200 year

Summary of results

Rainfall - FEH 2013 (mm):	75.50	Total runoff (ML):	9.01
Total Rainfall (mm):	73.49	Total flow (ML):	21.14
Peak Rainfall (mm):	9.33	Peak flow (m^3/s):	0.34

Parameters

Where the user has overriden a system-generated value, this original value is shown in square brackets after the value used.
** Indicates that the user locked the duration/timestep*

Rainfall parameters (Rainfall - FEH 2013 model)

Name	Value	User-defined?
Duration (hh:mm:ss)	06:10:00 [09:00:00]	Yes
Timestep (hh:mm:ss)	00:10:00 [01:00:00]	Yes
SCF (Seasonal correction factor)	0.99	No
ARF (Areal reduction factor)	0.98	No
Seasonality	Summer	n/a

Loss model parameters

Name	Value	User-defined?
Cini (mm)	81.64	No
Cmax (mm)	598.65	No
Use alpha correction factor	No	No
Alpha correction factor	n/a	No

Routing model parameters

Name	Value	User-defined?
Tp (hr)	5.12	No
Up	0.65	No
Uk	0.8	No

Baseflow model parameters

Name	Value	User-defined?
BF0 (m^3/s)	0.02	No
BL (hr)	26.57	No
BR	1.35	No

Urbanisation parameters

Name	Value	User-defined?
Urban area (km^2)	0 [0.06]	Yes
Urbext 2000	0 [0.06]	Yes
Impervious runoff factor	0.7	No
Imperviousness factor	0.3	No
Tp scaling factor	0.5	No
Sewered area (km^2)	0.00	Yes
Sewer capacity (m^3/s)	0.00	Yes

Time series data

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
00:00:00	0.4382	0.0000	0.0599	0.0000	0.0208	0.0208
00:10:00	0.4907	0.0000	0.0675	0.0000	0.0207	0.0207
00:20:00	0.5504	0.0000	0.0762	0.0001	0.0206	0.0207
00:30:00	0.6186	0.0000	0.0862	0.0002	0.0204	0.0206
00:40:00	0.6967	0.0000	0.0979	0.0004	0.0203	0.0207
00:50:00	0.7866	0.0000	0.1115	0.0006	0.0202	0.0208
01:00:00	0.8904	0.0000	0.1274	0.0009	0.0201	0.021
01:10:00	1.0108	0.0000	0.1462	0.0013	0.02	0.0213
01:20:00	1.1516	0.0000	0.1687	0.0018	0.0198	0.0217
01:30:00	1.3171	0.0000	0.1957	0.0024	0.0197	0.0222
01:40:00	1.5136	0.0000	0.2284	0.0032	0.0196	0.0228
01:50:00	1.7493	0.0000	0.2688	0.0041	0.0195	0.0236
02:00:00	2.0362	0.0000	0.3193	0.0051	0.0195	0.0246
02:10:00	2.3918	0.0000	0.3839	0.0064	0.0194	0.0258
02:20:00	2.8452	0.0000	0.4691	0.0080	0.0193	0.0273
02:30:00	3.4481	0.0000	0.5866	0.0098	0.0193	0.0291
02:40:00	4.3150	0.0000	0.7621	0.0120	0.0193	0.0312
02:50:00	5.8294	0.0000	1.0789	0.0147	0.0192	0.0339
03:00:00	9.3335	0.0000	1.8457	0.0180	0.0193	0.0373
03:10:00	5.8294	0.0000	1.2266	0.0224	0.0193	0.0417
03:20:00	4.3150	0.0000	0.9445	0.0279	0.0194	0.0473
03:30:00	3.4481	0.0000	0.7771	0.0342	0.0195	0.0537
03:40:00	2.8452	0.0000	0.6562	0.0410	0.0197	0.0608
03:50:00	2.3918	0.0000	0.5621	0.0484	0.02	0.0684
04:00:00	2.0362	0.0000	0.4860	0.0562	0.0203	0.0765
04:10:00	1.7493	0.0000	0.4231	0.0644	0.0207	0.0851
04:20:00	1.5136	0.0000	0.3702	0.0729	0.0211	0.094
04:30:00	1.3171	0.0000	0.3253	0.0817	0.0217	0.103
04:40:00	1.1516	0.0000	0.2868	0.0907	0.0222	0.113
04:50:00	1.0108	0.0000	0.2535	0.1000	0.0229	0.123
05:00:00	0.8904	0.0000	0.2247	0.1094	0.0236	0.133
05:10:00	0.7866	0.0000	0.1996	0.1191	0.0245	0.144
05:20:00	0.6967	0.0000	0.1777	0.1288	0.0253	0.154
05:30:00	0.6186	0.0000	0.1585	0.1386	0.0263	0.165
05:40:00	0.5504	0.0000	0.1415	0.1484	0.0274	0.176

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
05:50:00	0.4907	0.0000	0.1266	0.1582	0.0285	0.187
06:00:00	0.4382	0.0000	0.1134	0.1680	0.0297	0.198
06:10:00	0.0000	0.0000	0.0000	0.1778	0.0309	0.209
06:20:00	0.0000	0.0000	0.0000	0.1875	0.0323	0.22
06:30:00	0.0000	0.0000	0.0000	0.1970	0.0337	0.231
06:40:00	0.0000	0.0000	0.0000	0.2063	0.0352	0.241
06:50:00	0.0000	0.0000	0.0000	0.2154	0.0367	0.252
07:00:00	0.0000	0.0000	0.0000	0.2243	0.0384	0.263
07:10:00	0.0000	0.0000	0.0000	0.2328	0.0401	0.273
07:20:00	0.0000	0.0000	0.0000	0.2411	0.0418	0.283
07:30:00	0.0000	0.0000	0.0000	0.2489	0.0436	0.292
07:40:00	0.0000	0.0000	0.0000	0.2561	0.0455	0.302
07:50:00	0.0000	0.0000	0.0000	0.2628	0.0474	0.31
08:00:00	0.0000	0.0000	0.0000	0.2686	0.0493	0.318
08:10:00	0.0000	0.0000	0.0000	0.2733	0.0513	0.325
08:20:00	0.0000	0.0000	0.0000	0.2761	0.0533	0.329
08:30:00	0.0000	0.0000	0.0000	0.2774	0.0553	0.333
08:40:00	0.0000	0.0000	0.0000	0.2775	0.0572	0.335
08:50:00	0.0000	0.0000	0.0000	0.2767	0.0592	0.336
09:00:00	0.0000	0.0000	0.0000	0.2751	0.0612	0.336
09:10:00	0.0000	0.0000	0.0000	0.2729	0.0631	0.336
09:20:00	0.0000	0.0000	0.0000	0.2702	0.065	0.335
09:30:00	0.0000	0.0000	0.0000	0.2669	0.0668	0.334
09:40:00	0.0000	0.0000	0.0000	0.2632	0.0687	0.332
09:50:00	0.0000	0.0000	0.0000	0.2591	0.0704	0.33
10:00:00	0.0000	0.0000	0.0000	0.2547	0.0722	0.327
10:10:00	0.0000	0.0000	0.0000	0.2500	0.0738	0.324
10:20:00	0.0000	0.0000	0.0000	0.2450	0.0754	0.32
10:30:00	0.0000	0.0000	0.0000	0.2398	0.077	0.317
10:40:00	0.0000	0.0000	0.0000	0.2344	0.0785	0.313
10:50:00	0.0000	0.0000	0.0000	0.2289	0.08	0.309
11:00:00	0.0000	0.0000	0.0000	0.2232	0.0814	0.305
11:10:00	0.0000	0.0000	0.0000	0.2174	0.0827	0.3
11:20:00	0.0000	0.0000	0.0000	0.2115	0.084	0.296
11:30:00	0.0000	0.0000	0.0000	0.2056	0.0853	0.291
11:40:00	0.0000	0.0000	0.0000	0.1997	0.0864	0.286

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
11:50:00	0.0000	0.0000	0.0000	0.1939	0.0875	0.281
12:00:00	0.0000	0.0000	0.0000	0.1881	0.0886	0.277
12:10:00	0.0000	0.0000	0.0000	0.1824	0.0896	0.272
12:20:00	0.0000	0.0000	0.0000	0.1767	0.0906	0.267
12:30:00	0.0000	0.0000	0.0000	0.1711	0.0915	0.263
12:40:00	0.0000	0.0000	0.0000	0.1656	0.0923	0.258
12:50:00	0.0000	0.0000	0.0000	0.1602	0.0931	0.253
13:00:00	0.0000	0.0000	0.0000	0.1549	0.0938	0.249
13:10:00	0.0000	0.0000	0.0000	0.1499	0.0945	0.244
13:20:00	0.0000	0.0000	0.0000	0.1451	0.0952	0.24
13:30:00	0.0000	0.0000	0.0000	0.1407	0.0958	0.236
13:40:00	0.0000	0.0000	0.0000	0.1365	0.0964	0.233
13:50:00	0.0000	0.0000	0.0000	0.1326	0.0969	0.23
14:00:00	0.0000	0.0000	0.0000	0.1289	0.0974	0.226
14:10:00	0.0000	0.0000	0.0000	0.1253	0.0979	0.223
14:20:00	0.0000	0.0000	0.0000	0.1219	0.0983	0.22
14:30:00	0.0000	0.0000	0.0000	0.1186	0.0987	0.217
14:40:00	0.0000	0.0000	0.0000	0.1153	0.099	0.214
14:50:00	0.0000	0.0000	0.0000	0.1122	0.0994	0.212
15:00:00	0.0000	0.0000	0.0000	0.1091	0.0997	0.209
15:10:00	0.0000	0.0000	0.0000	0.1061	0.1	0.206
15:20:00	0.0000	0.0000	0.0000	0.1031	0.1	0.203
15:30:00	0.0000	0.0000	0.0000	0.1002	0.1	0.201
15:40:00	0.0000	0.0000	0.0000	0.0974	0.101	0.198
15:50:00	0.0000	0.0000	0.0000	0.0946	0.101	0.195
16:00:00	0.0000	0.0000	0.0000	0.0918	0.101	0.193
16:10:00	0.0000	0.0000	0.0000	0.0891	0.101	0.19
16:20:00	0.0000	0.0000	0.0000	0.0863	0.101	0.188
16:30:00	0.0000	0.0000	0.0000	0.0837	0.101	0.185
16:40:00	0.0000	0.0000	0.0000	0.0810	0.101	0.182
16:50:00	0.0000	0.0000	0.0000	0.0783	0.101	0.18
17:00:00	0.0000	0.0000	0.0000	0.0756	0.101	0.177
17:10:00	0.0000	0.0000	0.0000	0.0729	0.101	0.174
17:20:00	0.0000	0.0000	0.0000	0.0702	0.101	0.172
17:30:00	0.0000	0.0000	0.0000	0.0675	0.101	0.169
17:40:00	0.0000	0.0000	0.0000	0.0648	0.101	0.166

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
17:50:00	0.0000	0.0000	0.0000	0.0621	0.101	0.163
18:00:00	0.0000	0.0000	0.0000	0.0594	0.101	0.16
18:10:00	0.0000	0.0000	0.0000	0.0567	0.101	0.158
18:20:00	0.0000	0.0000	0.0000	0.0541	0.101	0.155
18:30:00	0.0000	0.0000	0.0000	0.0514	0.101	0.152
18:40:00	0.0000	0.0000	0.0000	0.0487	0.1	0.149
18:50:00	0.0000	0.0000	0.0000	0.0460	0.1	0.146
19:00:00	0.0000	0.0000	0.0000	0.0434	0.0999	0.143
19:10:00	0.0000	0.0000	0.0000	0.0407	0.0996	0.14
19:20:00	0.0000	0.0000	0.0000	0.0381	0.0993	0.137
19:30:00	0.0000	0.0000	0.0000	0.0355	0.099	0.135
19:40:00	0.0000	0.0000	0.0000	0.0329	0.0987	0.132
19:50:00	0.0000	0.0000	0.0000	0.0304	0.0983	0.129
20:00:00	0.0000	0.0000	0.0000	0.0279	0.0979	0.126
20:10:00	0.0000	0.0000	0.0000	0.0254	0.0975	0.123
20:20:00	0.0000	0.0000	0.0000	0.0230	0.0971	0.12
20:30:00	0.0000	0.0000	0.0000	0.0206	0.0967	0.117
20:40:00	0.0000	0.0000	0.0000	0.0183	0.0963	0.115
20:50:00	0.0000	0.0000	0.0000	0.0160	0.0958	0.112
21:00:00	0.0000	0.0000	0.0000	0.0139	0.0953	0.109
21:10:00	0.0000	0.0000	0.0000	0.0118	0.0949	0.107
21:20:00	0.0000	0.0000	0.0000	0.0099	0.0944	0.104
21:30:00	0.0000	0.0000	0.0000	0.0082	0.0938	0.102
21:40:00	0.0000	0.0000	0.0000	0.0069	0.0933	0.1
21:50:00	0.0000	0.0000	0.0000	0.0057	0.0928	0.0985
22:00:00	0.0000	0.0000	0.0000	0.0048	0.0923	0.097
22:10:00	0.0000	0.0000	0.0000	0.0039	0.0917	0.0956
22:20:00	0.0000	0.0000	0.0000	0.0032	0.0912	0.0944
22:30:00	0.0000	0.0000	0.0000	0.0026	0.0906	0.0932
22:40:00	0.0000	0.0000	0.0000	0.0021	0.0901	0.0922
22:50:00	0.0000	0.0000	0.0000	0.0017	0.0895	0.0912
23:00:00	0.0000	0.0000	0.0000	0.0013	0.089	0.0903
23:10:00	0.0000	0.0000	0.0000	0.0010	0.0884	0.0894
23:20:00	0.0000	0.0000	0.0000	0.0007	0.0879	0.0886
23:30:00	0.0000	0.0000	0.0000	0.0005	0.0873	0.0879
23:40:00	0.0000	0.0000	0.0000	0.0004	0.0868	0.0872

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
23:50:00	0.0000	0.0000	0.0000	0.0002	0.0863	0.0865
24:00:00	0.0000	0.0000	0.0000	0.0001	0.0857	0.0859
24:10:00	0.0000	0.0000	0.0000	0.0001	0.0852	0.0853
24:20:00	0.0000	0.0000	0.0000	0.0000	0.0847	0.0847
24:30:00	0.0000	0.0000	0.0000	0.0000	0.0841	0.0841
24:40:00	0.0000	0.0000	0.0000	0.0000	0.0836	0.0836
24:50:00	0.0000	0.0000	0.0000	0.0000	0.0831	0.0831
25:00:00	0.0000	0.0000	0.0000	0.0000	0.0826	0.0826
25:10:00	0.0000	0.0000	0.0000	0.0000	0.082	0.082
25:20:00	0.0000	0.0000	0.0000	0.0000	0.0815	0.0815
25:30:00	0.0000	0.0000	0.0000	0.0000	0.081	0.081
25:40:00	0.0000	0.0000	0.0000	0.0000	0.0805	0.0805
25:50:00	0.0000	0.0000	0.0000	0.0000	0.08	0.08
26:00:00	0.0000	0.0000	0.0000	0.0000	0.0795	0.0795
26:10:00	0.0000	0.0000	0.0000	0.0000	0.079	0.079
26:20:00	0.0000	0.0000	0.0000	0.0000	0.0785	0.0785
26:30:00	0.0000	0.0000	0.0000	0.0000	0.078	0.078
26:40:00	0.0000	0.0000	0.0000	0.0000	0.0775	0.0775
26:50:00	0.0000	0.0000	0.0000	0.0000	0.0771	0.0771
27:00:00	0.0000	0.0000	0.0000	0.0000	0.0766	0.0766
27:10:00	0.0000	0.0000	0.0000	0.0000	0.0761	0.0761
27:20:00	0.0000	0.0000	0.0000	0.0000	0.0756	0.0756
27:30:00	0.0000	0.0000	0.0000	0.0000	0.0751	0.0751
27:40:00	0.0000	0.0000	0.0000	0.0000	0.0747	0.0747
27:50:00	0.0000	0.0000	0.0000	0.0000	0.0742	0.0742
28:00:00	0.0000	0.0000	0.0000	0.0000	0.0737	0.0737
28:10:00	0.0000	0.0000	0.0000	0.0000	0.0733	0.0733
28:20:00	0.0000	0.0000	0.0000	0.0000	0.0728	0.0728
28:30:00	0.0000	0.0000	0.0000	0.0000	0.0724	0.0724
28:40:00	0.0000	0.0000	0.0000	0.0000	0.0719	0.0719
28:50:00	0.0000	0.0000	0.0000	0.0000	0.0715	0.0715
29:00:00	0.0000	0.0000	0.0000	0.0000	0.071	0.071
29:10:00	0.0000	0.0000	0.0000	0.0000	0.0706	0.0706
29:20:00	0.0000	0.0000	0.0000	0.0000	0.0701	0.0701
29:30:00	0.0000	0.0000	0.0000	0.0000	0.0697	0.0697
29:40:00	0.0000	0.0000	0.0000	0.0000	0.0693	0.0693

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
29:50:00	0.0000	0.0000	0.0000	0.0000	0.0688	0.0688
30:00:00	0.0000	0.0000	0.0000	0.0000	0.0684	0.0684
30:10:00	0.0000	0.0000	0.0000	0.0000	0.068	0.068
30:20:00	0.0000	0.0000	0.0000	0.0000	0.0675	0.0675
30:30:00	0.0000	0.0000	0.0000	0.0000	0.0671	0.0671
30:40:00	0.0000	0.0000	0.0000	0.0000	0.0667	0.0667
30:50:00	0.0000	0.0000	0.0000	0.0000	0.0663	0.0663
31:00:00	0.0000	0.0000	0.0000	0.0000	0.0659	0.0659
31:10:00	0.0000	0.0000	0.0000	0.0000	0.0655	0.0655
31:20:00	0.0000	0.0000	0.0000	0.0000	0.0651	0.0651
31:30:00	0.0000	0.0000	0.0000	0.0000	0.0646	0.0646
31:40:00	0.0000	0.0000	0.0000	0.0000	0.0642	0.0642
31:50:00	0.0000	0.0000	0.0000	0.0000	0.0638	0.0638
32:00:00	0.0000	0.0000	0.0000	0.0000	0.0634	0.0634
32:10:00	0.0000	0.0000	0.0000	0.0000	0.063	0.063
32:20:00	0.0000	0.0000	0.0000	0.0000	0.0626	0.0626
32:30:00	0.0000	0.0000	0.0000	0.0000	0.0623	0.0623
32:40:00	0.0000	0.0000	0.0000	0.0000	0.0619	0.0619
32:50:00	0.0000	0.0000	0.0000	0.0000	0.0615	0.0615
33:00:00	0.0000	0.0000	0.0000	0.0000	0.0611	0.0611
33:10:00	0.0000	0.0000	0.0000	0.0000	0.0607	0.0607
33:20:00	0.0000	0.0000	0.0000	0.0000	0.0603	0.0603
33:30:00	0.0000	0.0000	0.0000	0.0000	0.06	0.06
33:40:00	0.0000	0.0000	0.0000	0.0000	0.0596	0.0596
33:50:00	0.0000	0.0000	0.0000	0.0000	0.0592	0.0592
34:00:00	0.0000	0.0000	0.0000	0.0000	0.0588	0.0588
34:10:00	0.0000	0.0000	0.0000	0.0000	0.0585	0.0585
34:20:00	0.0000	0.0000	0.0000	0.0000	0.0581	0.0581
34:30:00	0.0000	0.0000	0.0000	0.0000	0.0577	0.0577
34:40:00	0.0000	0.0000	0.0000	0.0000	0.0574	0.0574
34:50:00	0.0000	0.0000	0.0000	0.0000	0.057	0.057
35:00:00	0.0000	0.0000	0.0000	0.0000	0.0567	0.0567
35:10:00	0.0000	0.0000	0.0000	0.0000	0.0563	0.0563
35:20:00	0.0000	0.0000	0.0000	0.0000	0.056	0.056
35:30:00	0.0000	0.0000	0.0000	0.0000	0.0556	0.0556
35:40:00	0.0000	0.0000	0.0000	0.0000	0.0553	0.0553

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
35:50:00	0.0000	0.0000	0.0000	0.0000	0.0549	0.0549
36:00:00	0.0000	0.0000	0.0000	0.0000	0.0546	0.0546
36:10:00	0.0000	0.0000	0.0000	0.0000	0.0542	0.0542
36:20:00	0.0000	0.0000	0.0000	0.0000	0.0539	0.0539
36:30:00	0.0000	0.0000	0.0000	0.0000	0.0536	0.0536
36:40:00	0.0000	0.0000	0.0000	0.0000	0.0532	0.0532
36:50:00	0.0000	0.0000	0.0000	0.0000	0.0529	0.0529
37:00:00	0.0000	0.0000	0.0000	0.0000	0.0526	0.0526
37:10:00	0.0000	0.0000	0.0000	0.0000	0.0522	0.0522
37:20:00	0.0000	0.0000	0.0000	0.0000	0.0519	0.0519
37:30:00	0.0000	0.0000	0.0000	0.0000	0.0516	0.0516
37:40:00	0.0000	0.0000	0.0000	0.0000	0.0513	0.0513
37:50:00	0.0000	0.0000	0.0000	0.0000	0.0509	0.0509
38:00:00	0.0000	0.0000	0.0000	0.0000	0.0506	0.0506
38:10:00	0.0000	0.0000	0.0000	0.0000	0.0503	0.0503
38:20:00	0.0000	0.0000	0.0000	0.0000	0.05	0.05
38:30:00	0.0000	0.0000	0.0000	0.0000	0.0497	0.0497
38:40:00	0.0000	0.0000	0.0000	0.0000	0.0494	0.0494
38:50:00	0.0000	0.0000	0.0000	0.0000	0.0491	0.0491
39:00:00	0.0000	0.0000	0.0000	0.0000	0.0487	0.0487
39:10:00	0.0000	0.0000	0.0000	0.0000	0.0484	0.0484
39:20:00	0.0000	0.0000	0.0000	0.0000	0.0481	0.0481
39:30:00	0.0000	0.0000	0.0000	0.0000	0.0478	0.0478
39:40:00	0.0000	0.0000	0.0000	0.0000	0.0475	0.0475
39:50:00	0.0000	0.0000	0.0000	0.0000	0.0472	0.0472
40:00:00	0.0000	0.0000	0.0000	0.0000	0.0469	0.0469
40:10:00	0.0000	0.0000	0.0000	0.0000	0.0467	0.0467
40:20:00	0.0000	0.0000	0.0000	0.0000	0.0464	0.0464
40:30:00	0.0000	0.0000	0.0000	0.0000	0.0461	0.0461
40:40:00	0.0000	0.0000	0.0000	0.0000	0.0458	0.0458
40:50:00	0.0000	0.0000	0.0000	0.0000	0.0455	0.0455
41:00:00	0.0000	0.0000	0.0000	0.0000	0.0452	0.0452
41:10:00	0.0000	0.0000	0.0000	0.0000	0.0449	0.0449
41:20:00	0.0000	0.0000	0.0000	0.0000	0.0446	0.0446
41:30:00	0.0000	0.0000	0.0000	0.0000	0.0444	0.0444
41:40:00	0.0000	0.0000	0.0000	0.0000	0.0441	0.0441

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
41:50:00	0.0000	0.0000	0.0000	0.0000	0.0438	0.0438
42:00:00	0.0000	0.0000	0.0000	0.0000	0.0435	0.0435
42:10:00	0.0000	0.0000	0.0000	0.0000	0.0433	0.0433
42:20:00	0.0000	0.0000	0.0000	0.0000	0.043	0.043
42:30:00	0.0000	0.0000	0.0000	0.0000	0.0427	0.0427
42:40:00	0.0000	0.0000	0.0000	0.0000	0.0425	0.0425
42:50:00	0.0000	0.0000	0.0000	0.0000	0.0422	0.0422
43:00:00	0.0000	0.0000	0.0000	0.0000	0.0419	0.0419
43:10:00	0.0000	0.0000	0.0000	0.0000	0.0417	0.0417
43:20:00	0.0000	0.0000	0.0000	0.0000	0.0414	0.0414
43:30:00	0.0000	0.0000	0.0000	0.0000	0.0412	0.0412
43:40:00	0.0000	0.0000	0.0000	0.0000	0.0409	0.0409
43:50:00	0.0000	0.0000	0.0000	0.0000	0.0406	0.0406
44:00:00	0.0000	0.0000	0.0000	0.0000	0.0404	0.0404
44:10:00	0.0000	0.0000	0.0000	0.0000	0.0401	0.0401
44:20:00	0.0000	0.0000	0.0000	0.0000	0.0399	0.0399
44:30:00	0.0000	0.0000	0.0000	0.0000	0.0396	0.0396
44:40:00	0.0000	0.0000	0.0000	0.0000	0.0394	0.0394
44:50:00	0.0000	0.0000	0.0000	0.0000	0.0391	0.0391
45:00:00	0.0000	0.0000	0.0000	0.0000	0.0389	0.0389
45:10:00	0.0000	0.0000	0.0000	0.0000	0.0387	0.0387
45:20:00	0.0000	0.0000	0.0000	0.0000	0.0384	0.0384
45:30:00	0.0000	0.0000	0.0000	0.0000	0.0382	0.0382
45:40:00	0.0000	0.0000	0.0000	0.0000	0.0379	0.0379
45:50:00	0.0000	0.0000	0.0000	0.0000	0.0377	0.0377
46:00:00	0.0000	0.0000	0.0000	0.0000	0.0375	0.0375
46:10:00	0.0000	0.0000	0.0000	0.0000	0.0372	0.0372
46:20:00	0.0000	0.0000	0.0000	0.0000	0.037	0.037
46:30:00	0.0000	0.0000	0.0000	0.0000	0.0368	0.0368
46:40:00	0.0000	0.0000	0.0000	0.0000	0.0365	0.0365
46:50:00	0.0000	0.0000	0.0000	0.0000	0.0363	0.0363
47:00:00	0.0000	0.0000	0.0000	0.0000	0.0361	0.0361
47:10:00	0.0000	0.0000	0.0000	0.0000	0.0358	0.0358
47:20:00	0.0000	0.0000	0.0000	0.0000	0.0356	0.0356
47:30:00	0.0000	0.0000	0.0000	0.0000	0.0354	0.0354
47:40:00	0.0000	0.0000	0.0000	0.0000	0.0352	0.0352

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
47:50:00	0.0000	0.0000	0.0000	0.0000	0.035	0.035
48:00:00	0.0000	0.0000	0.0000	0.0000	0.0347	0.0347
48:10:00	0.0000	0.0000	0.0000	0.0000	0.0345	0.0345
48:20:00	0.0000	0.0000	0.0000	0.0000	0.0343	0.0343
48:30:00	0.0000	0.0000	0.0000	0.0000	0.0341	0.0341
48:40:00	0.0000	0.0000	0.0000	0.0000	0.0339	0.0339
48:50:00	0.0000	0.0000	0.0000	0.0000	0.0337	0.0337
49:00:00	0.0000	0.0000	0.0000	0.0000	0.0335	0.0335
49:10:00	0.0000	0.0000	0.0000	0.0000	0.0332	0.0332
49:20:00	0.0000	0.0000	0.0000	0.0000	0.033	0.033
49:30:00	0.0000	0.0000	0.0000	0.0000	0.0328	0.0328
49:40:00	0.0000	0.0000	0.0000	0.0000	0.0326	0.0326
49:50:00	0.0000	0.0000	0.0000	0.0000	0.0324	0.0324
50:00:00	0.0000	0.0000	0.0000	0.0000	0.0322	0.0322
50:10:00	0.0000	0.0000	0.0000	0.0000	0.032	0.032
50:20:00	0.0000	0.0000	0.0000	0.0000	0.0318	0.0318
50:30:00	0.0000	0.0000	0.0000	0.0000	0.0316	0.0316
50:40:00	0.0000	0.0000	0.0000	0.0000	0.0314	0.0314
50:50:00	0.0000	0.0000	0.0000	0.0000	0.0312	0.0312
51:00:00	0.0000	0.0000	0.0000	0.0000	0.031	0.031
51:10:00	0.0000	0.0000	0.0000	0.0000	0.0308	0.0308
51:20:00	0.0000	0.0000	0.0000	0.0000	0.0306	0.0306
51:30:00	0.0000	0.0000	0.0000	0.0000	0.0305	0.0305
51:40:00	0.0000	0.0000	0.0000	0.0000	0.0303	0.0303
51:50:00	0.0000	0.0000	0.0000	0.0000	0.0301	0.0301
52:00:00	0.0000	0.0000	0.0000	0.0000	0.0299	0.0299
52:10:00	0.0000	0.0000	0.0000	0.0000	0.0297	0.0297
52:20:00	0.0000	0.0000	0.0000	0.0000	0.0295	0.0295
52:30:00	0.0000	0.0000	0.0000	0.0000	0.0293	0.0293
52:40:00	0.0000	0.0000	0.0000	0.0000	0.0291	0.0291
52:50:00	0.0000	0.0000	0.0000	0.0000	0.029	0.029
53:00:00	0.0000	0.0000	0.0000	0.0000	0.0288	0.0288
53:10:00	0.0000	0.0000	0.0000	0.0000	0.0286	0.0286
53:20:00	0.0000	0.0000	0.0000	0.0000	0.0284	0.0284
53:30:00	0.0000	0.0000	0.0000	0.0000	0.0282	0.0282
53:40:00	0.0000	0.0000	0.0000	0.0000	0.0281	0.0281

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
53:50:00	0.0000	0.0000	0.0000	0.0000	0.0279	0.0279
54:00:00	0.0000	0.0000	0.0000	0.0000	0.0277	0.0277
54:10:00	0.0000	0.0000	0.0000	0.0000	0.0275	0.0275
54:20:00	0.0000	0.0000	0.0000	0.0000	0.0274	0.0274
54:30:00	0.0000	0.0000	0.0000	0.0000	0.0272	0.0272
54:40:00	0.0000	0.0000	0.0000	0.0000	0.027	0.027
54:50:00	0.0000	0.0000	0.0000	0.0000	0.0269	0.0269
55:00:00	0.0000	0.0000	0.0000	0.0000	0.0267	0.0267
55:10:00	0.0000	0.0000	0.0000	0.0000	0.0265	0.0265
55:20:00	0.0000	0.0000	0.0000	0.0000	0.0264	0.0264
55:30:00	0.0000	0.0000	0.0000	0.0000	0.0262	0.0262
55:40:00	0.0000	0.0000	0.0000	0.0000	0.026	0.026
55:50:00	0.0000	0.0000	0.0000	0.0000	0.0259	0.0259
56:00:00	0.0000	0.0000	0.0000	0.0000	0.0257	0.0257
56:10:00	0.0000	0.0000	0.0000	0.0000	0.0255	0.0255
56:20:00	0.0000	0.0000	0.0000	0.0000	0.0254	0.0254
56:30:00	0.0000	0.0000	0.0000	0.0000	0.0252	0.0252
56:40:00	0.0000	0.0000	0.0000	0.0000	0.0251	0.0251
56:50:00	0.0000	0.0000	0.0000	0.0000	0.0249	0.0249
57:00:00	0.0000	0.0000	0.0000	0.0000	0.0248	0.0248
57:10:00	0.0000	0.0000	0.0000	0.0000	0.0246	0.0246
57:20:00	0.0000	0.0000	0.0000	0.0000	0.0245	0.0245
57:30:00	0.0000	0.0000	0.0000	0.0000	0.0243	0.0243
57:40:00	0.0000	0.0000	0.0000	0.0000	0.0241	0.0241
57:50:00	0.0000	0.0000	0.0000	0.0000	0.024	0.024
58:00:00	0.0000	0.0000	0.0000	0.0000	0.0238	0.0238
58:10:00	0.0000	0.0000	0.0000	0.0000	0.0237	0.0237
58:20:00	0.0000	0.0000	0.0000	0.0000	0.0235	0.0235
58:30:00	0.0000	0.0000	0.0000	0.0000	0.0234	0.0234
58:40:00	0.0000	0.0000	0.0000	0.0000	0.0233	0.0233
58:50:00	0.0000	0.0000	0.0000	0.0000	0.0231	0.0231
59:00:00	0.0000	0.0000	0.0000	0.0000	0.023	0.023
59:10:00	0.0000	0.0000	0.0000	0.0000	0.0228	0.0228
59:20:00	0.0000	0.0000	0.0000	0.0000	0.0227	0.0227
59:30:00	0.0000	0.0000	0.0000	0.0000	0.0225	0.0225
59:40:00	0.0000	0.0000	0.0000	0.0000	0.0224	0.0224

Time (hh:mm:ss)	Rain (mm)	Sewer Loss (mm)	Net Rain (mm)	Runoff (m^3/s)	Baseflow (m^3/s)	Total Flow (m^3/s)
59:50:00	0.0000	0.0000	0.0000	0.0000	0.0223	0.0223
60:00:00	0.0000	0.0000	0.0000	0.0000	0.0221	0.0221
60:10:00	0.0000	0.0000	0.0000	0.0000	0.022	0.022
60:20:00	0.0000	0.0000	0.0000	0.0000	0.0218	0.0218
60:30:00	0.0000	0.0000	0.0000	0.0000	0.0217	0.0217
60:40:00	0.0000	0.0000	0.0000	0.0000	0.0216	0.0216
60:50:00	0.0000	0.0000	0.0000	0.0000	0.0214	0.0214
61:00:00	0.0000	0.0000	0.0000	0.0000	0.0213	0.0213
61:10:00	0.0000	0.0000	0.0000	0.0000	0.0212	0.0212
61:20:00	0.0000	0.0000	0.0000	0.0000	0.021	0.021

Appendix

Catchment descriptors *

Name	Value	User-defined value used?
Area (km^2)	0.62 [0.52]	**Yes**
ALTBAR	32	No
ASPBAR	356	No
ASPVAR	0.78	No
BFIHOST	0.66 [0.89]	**Yes**
DPLBAR (km)	0.75	No
DPSBAR (mkm^{-1})	33	No
FARL	1	No
LDP	1.4	No
PROPWET (mm)	0.49 [0.42]	**Yes**
RMED1H	8.7	No
RMED1D	33.7	No
RMED2D	42.5	No
SAAR (mm)	612	No
SAAR4170 (mm)	742	No
SPRHOST	15.15	No
Urbext2000	0 [0.06]	**Yes**
Urbext1990	0.01	No
URBCONC	0.41	No
URBLOC	0.38	No
Urban Area (km^2)	0 [0.06]	**Yes**
DDF parameter C	-0.01	No
DDF parameter D1	0.42	No
DDF parameter D2	0.35	No
DDF parameter D3	0.24	No
DDF parameter E	0.25	No
DDF parameter F	2.27	No
DDF parameter C (1km grid value)	-0.01	No
DDF parameter D1 (1km grid value)	0.42	No
DDF parameter D2 (1km grid value)	0.35	No
DDF parameter D3 (1km grid value)	0.24	No
DDF parameter E (1km grid value)	0.25	No
DDF parameter F (1km grid value)	2.26	No

Values in square brackets are the original values loaded from the FEH Web Service or FEH CD-ROM

APPENDIX E: GREENFIELD RUNOFF RATES (IH124)

Institute of Hydrology Report No.124 - Flood Estimation for Small Catchments (IH124)

Flow Calculation

User Defined
Calculated

Project No.	368688
Project Title	Hopeman
Version No.	1

Calculation by:	JMC	**Date:**	01/10/2016
Checked by:	KIMD	**Date:**	02/11/2016

Flow Summary:

Return Period (years)	Flow (m^3/s)	Flow (l/s)	Flow (Ml/d)
2	0.12	119	10.25
5	0.16	158	13.66
10	0.19	191	16.51
25	0.24	238	20.60
50	0.28	279	24.13
100	0.33	327	28.23
200	0.37	369	31.88
200+cc	0.44	443	38.25

Development size	Method
0 - 50 ha	The Institute of Hydrology Report 124 *Flood estimation for small catchments* (Marshall & Bayliss, 1994) is to be used to determine peak greenfield runoff rates for QBAR. Where developments are smaller than 50 ha, the analysis for determining greenfield discharge rate should use 50 ha in the formula but linearly interpolate the flow rate value based on the ratio of the size of the development to 50 ha. FSSR 14 (IH, 1993) regional growth curve factors should be used to calculate greenfield peak flow rates for 1-, 30- and 100-year return periods.
50-200 ha	IH Report 124 should be used to calculate greenfield peak flow rates. Regional growth factors to be applied.
Above 200 ha	IH Report 124 can be used for catchments that are much larger than 200 ha. However, for schemes of this size it is recommended that the Flood Estimation Handbook (FEH) (IH, 1999) should be applied. Both the statistical approach and the unit hydrograph approach should be used to calculate peak flow rates. However, where FEH is not considered appropriate for the calculation of greenfield runoff for the development site, for whatever reasons, IH 124 should be used.

OS Grid Ref: NJ 14942 69173

AREA: 62 Ha; 0.62 km^2 — Catchment area.

SAAR: 612 mm — From FEH CD-ROM / literature.
NB If catchment not defined in FEH, assume SAAR from neighbouring FEH-defined catchments

SOIL: 0.35 — SOIL = 0.15 x (WRAP1) + 0.30 x (WRAP2) + 0.40 x (WRAP3) + 0.45 x (WRAP4) + 0.50 x (WRAP5)
(See Winter Rain Acceptance Potential Map)

WRAP Class	1	2	3	4	5
Factor	0.15	0.3	0.4	0.45	0.5
Fraction	0	0.5	0.5	0	0

$QBAR_{rural}$

$QBAR_{rural}$: 0.13 m^3/s — $QBAR = 0.00108*AREA^{0.89}*SAAR^{1.17}*SOIL^{2.17}$ (IH124 7.1)

if site is <50ha — Area Reduction: 1.24 (ratio of size of site to 50ha)

$QBAR_{rural\ (adjusted)}$: 0.13 m^3/s — Applicable if area is < 50 ha

$QBAR_{urban}$

CWI: 83.56 — Catchment Wetness Index

SAAR	<835	>=835
CWI	=0.1745*SAAR-23.238	=0.0024*SAAR+120.5

CIND: 24.24 — Catchment Index — CIND = 102.4*SOIL+0.28*(CWI-125) (IH124 7.2)

NC: 0.77 — Rainfall Continentality Factor — NC = 0.92-0.00024*SAAR (for 500≤SAAR≤1100mm); NC = 0.74-0.000082*SAAR (for 1100≤SAAR≤3000mm) (IH124 7.3)

NC	0.77312
	0.689816

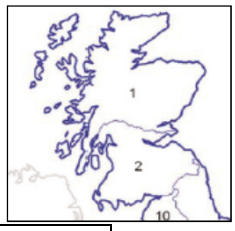
URBAN: 0 — Fraction of catchment under urban land use

$QBAR_{urban}/QBAR_{rural}$: 1.00 — $QBAR_{urban}/QBAR_{rural}$ = [1+URBAN]^2NC*[1+URBAN{(21/CIND)-0.3}] (IH124 7.4)

$QBAR_{urban}$: 0.13 m^3/s

For conservative design, choose higher of $QBAR_{urban}$ and $QBAR_{rural}$
QBAR: 0.13 m^3/s

Hydrometric Area: 1 — See map opposite for hydrometric areas within Scotland



Growth Curve Factors

Region	Hydrometric Area	Return Period 2	5	10	25	50	100	200	500
N Scotland	1	0.9	1.2	1.45	1.81	2.12	2.48	2.8	3.25
S Scotland	2	0.91	1.11	1.42	1.81	2.17	2.63	3	3.45
	$Q_{return\ period}$ (m^3/s)	0.12	0.16	0.19	0.24	0.28	0.33	0.37	0.43

(Growth factors and hydrometric areas taken from CIRIA SUDS Manual C697)

Planning Support Statement

Hopeman Development – May 2020

Author: Victoria Mungall – Springfield Real Estate Management

on behalf of Co-Operative Society for Moray Council

Planning Reference No: - 20/00474/APP

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4.0 Key Planning Requirements
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5.0 Conclusion

1.0 Introduction & Proposal

1.1 This statement sets out the background, provides an overview of the site and corresponding proposals alongside a review of relevant development plan policy (Moray Council LDP 2015 and the 2020 emerging LDP) as well as other material planning considerations. The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006 which requires all planning applications to be determined in accordance with adopted Development Plan policies unless material considerations indicate otherwise.

1.2 This statement demonstrates that we have assessed the proposals against the current (2015) and emerging (2020) development plan(s) and considered relevant material considerations including the Council's Supplementary Guidance regarding Affordable Housing, Climate Change, Urban Design (and Quality Audits) alongside the relevant Development polices for Industry/ Business.

1.3 The site although not specifically identified for housing within the Local Development Plan, does benefit from being identified within the LDP for development (Business Use). In Summary this statement is in support of our client's proposal to demolish a previous service station/ car garage which has fallen into a state of disrepair, clear the site and construct a retail unit, a small light industrial business starter unit and 2no blocks of residential cottage style flats (Cawdor).

1.4 Located on a 'brownfield' site, it is dilapidated and in a severe state of disrepair, readily suitable for redevelopment. Situated on the main B9040 through Hopeman spanning from Lossiemouth westerly towards Burghead it detracts significantly on Eastern approach into Hopeman. The area has a number of local amenities including Hopeman Primary School, Hopeman Stores, and Post Office (Premier), Cost cutters, a general store, hairdressers and beauty salon, a butcher shop, a chemist, a fish & chip shop and recreational facilities. There is currently no supermarket provision.

1.5 We propose a high-quality, place-making focused development of homes suitable for the location and site, a small retail and business element which would provide employment - supporting local economy growth, providing space for a small local business/ businesses to grow as well as reducing the need for local residents to commute into Elgin or the larger town centres to access a supermarket facility. We conclude that the proposals accord with development plan policies and other material considerations and as such should be approved in line with the LDP and deliver much needed new affordable housing for the area, bring employment opportunities, improve the character and approach into Hopeman, improve pedestrian and cycle ways and reduce travel thus providing a greener, more accessible place.

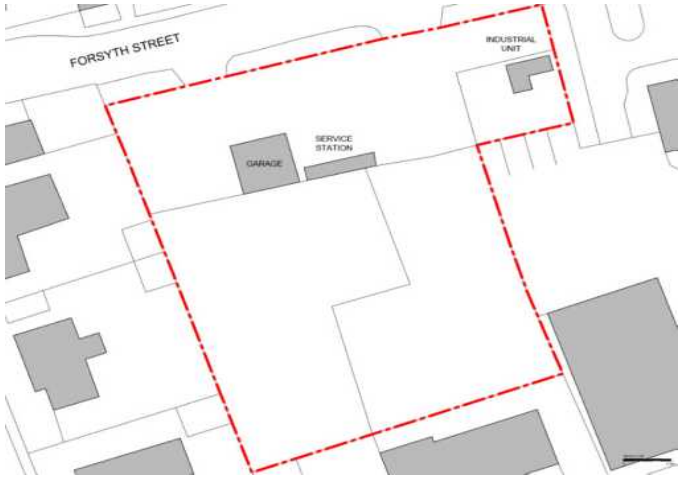
1.6 The site is identified within the LDP as designated for Business Use, but it is clear that the site is not being utilised for business use and will without substantial investment, deteriorate further over time. We propose high-quality, cottage style flats 1 and 3/4 storey, (amended elevations have been submitted with this statement, following review of planning and objection commentary) suitable for the location and site as well as a light industrial business starter unit to ensure the business element of the site remains.

1.7 The planning application and this statement is accompanied by a number of supporting documents, including:

- Amended Drawings following consultation
- Drainage Impact Assessment
- Retail Statement
- Flood Risk Assessment
- Transport Statement
- Bat Survey

2.0 Site Information

2.1 Site Description



2.1.1 The Site extending to 0.67ha, is currently a brownfield site located South of Forsyth Street (B9040) The Northern edge of the boundary is bound by this road which is the main route through the town from Lossiemouth in the East towards Burghhead.

2.1.2 Adjacent to the site, on the opposite side of Forsyth street, it is lined with residential property, this is mixed with single storey terraced standstone cottage dwellings which have undergone refurbishment and now bore painted white render fronts, with upgraded slate roofing alongside detached bungalows with a more modern palette and a large detached sandstone dwelling, which consists of slate roofing and timber windows and doors. 2.1.3 Part of the Eastern boundary from Forsyth Street to within 1/3 of the site is bound by a block work wall (bearing no historical significance), which leads to the edge of an existing industrial unit, changing to kerbing which leads towards the rear of the site.

2.1.4 Beyond the eastern boundary line, is a business premises, currently occupied by Tulloch of Cummings, this building looks almost residential in appearance, and is more modern than the sandstone residential properties on the opposite side of Forsyth Street.

2.1.5 The Western Edge is bound by a sandstone wall leading to an existing traditional stone front house, this runs approximately ¾ of the way towards the back of the site, with hedge planting along the remainder of the boundary. It is proposed that both shall remain untouched.

2.1.6 Bounding the South edge of the site is a telephone exchange, which is in poor condition with spalling render, decaying metal doors and dilapidated brickwork. Further south lies gently undulating farmland, with scattered farm buildings.

EXISTING SITE IMAGES

View on approach along the B9040 heading West towards Burghead

Looking inwards to the proposed site from the North West corner

Residential Properties adjacent to the proposed site entrance

View along lane off of Inverugie Road towards the old telephone exchange

2.2 Planning History of the Site

89/00952/ADV	October 1989	Advertising consent to erect free standing pole	Granted
95/00498/FUL	July 1995	Extension to garage to add spare parts store	Granted
16/01799/APP	January 2017	Application to extend existing garage building	Granted (Never Constructed)

2.2.1 3 historical applications can be found on the Moray Council planning pages, from 1989 – 2017. The first was an application for signage to be erected directly off of Forsyth Street to highlight as a garage/ car sales for passing trade. It was inevitable a large volume of traffic would be attracted to the site, however established structured parking was never created.

2.2.2 The second application in July 1995 was an application to extend the garage to create a parts store, details/ drawings were not available on the Moray Council website, but it is apparent from visiting the site a small store was constructed on the western gable of the existing garage building.

2.2.3 In 2017 a further application was made with the intention of extending the garage to double the footprint in size. Although approved, this was never constructed. At some stage (unknown) a temporary unit has been added, this adjoins the garage and it is apparent it has been in-situ for a significant period of time.

2.3 Current Use of Site

2.3.1 Currently a brownfield site, it was obvious on visiting that although once a thriving car garage and car sales location, the site has fallen into a serious state of disrepair. There is no operational business currently on the site, and it has not been operational for some time. It is understood that the previous owner had been using the garage facility for personal use having taken up employment elsewhere. Historically, the site also had facility as a working filling station, there is a clear point of entry and exit from Forsyth Street and a small central island still apparent as to where the pumps would have been located previously. The nature of the business on the site historically would have undoubtedly attracted a high volume of traffic, both for access to the filling station and those arriving to deposit vehicles for repair at the garage. Entry and exit points do not constitute formal junctions and would certainly not comply with today's roads safety standards. It is believed although not known for certain that the bus stop adjacent to the site (concealed within a lane) would have been erected sometime after the garage business was established on the site.

2.3.2 There is a palisade fence which houses a small enclosed yard area, this was previously used as a storage area for a gardening services business, and this is no longer occupied now lying dormant.

2.3.3 The driving factor behind the proposals for a mixed use development is that historical precedents exploring the above suggests the site requires careful consideration regarding the success of business use only upon the site largely due to a more rural setting, and although contrary to plans set out in the current and evolving Moray Council LDP, mixed use is something that should be considered when assessing our client's application to allow the regeneration of a prominent site regenerating the area, injecting a new sense of purpose.

3.0 Supporting Design Statement

3.1 Site Layout & Design

3.1.1 SUMMARY OF PROPOSAL

This statement is submitted to Moray Council in support of our planning application proposals for Business, Retail and Residential development on a site as described above. The application seeks detailed planning permission for the erection of:

- 2 no blocks of cottage flats, comprising of 8 dwellings
- 372sqm Retail Unit
- 111sqm Light industrial business starter
- Associated Parking and Infrastructure
- Landscaping
- Improved Pedestrian and Cycleways

3.1.2 CONTEXT AND MASS

Located close to the centre of Hopeman, the site is an ideal location for local residents to reach the site easily on foot or bicycle, which our proposals address by creating a new crossing point on Forsyth Street allowing the site to become accessible safely with the previous footpath stopping abruptly on the western edge. As the main vehicular route through the town, used well by both local residents commuting largely towards Lossiemouth, Elgin and Burghead, it is also a highly popular costal route for tourists.

The Business Unit proposed is single storey build with designated parking to the front ensuring the business element under the sites designation is the most prominent on the Eastern approach. Proposed materials are in keeping with the larger unit immediately behind on the adjoining site and it is proposed the metal cladding will conform to a grey pallet to compliment the use of grey Caithness stone on the main elevation of the retail unit and the residential.

The proposed retail element has been positioned directly off of Forsyth Street with parking easily accessible via a newly compliant formal junction from Forsyth Street. The retail element proposed is single storey, with the massing of the residential units located at the back of the site (Southern Edge) to remain sympathetic to the streetscape along Forsyth Street. They have also been positioned to ensure no overshadowing to the existing residential property on the Western boundary. The entrance to the retail unit has been situated on the North East side, this allows it to be closest to the proposed new crossing point on Forsyth Street and to allow bicycle hoops to be carefully positioned on the wider section of the footpath.

The proposed residential units are known as ‘Cawdor’ and are 1 ¾ stories, this is to ensure the proposed massing is in keeping with the existing residential style(s) within Hopeman. Living and Kitchen areas are at the front of the blocks to ensure maximum North light, and to offer views out towards Forsyth Street and towards the newly landscaped areas at the front. Bedrooms have been located to the rear to give

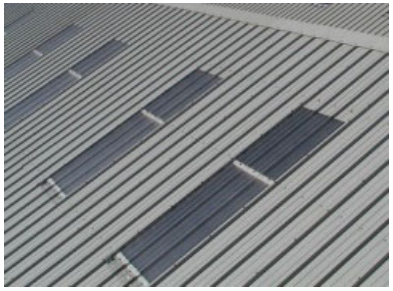
maximum privacy and views from 1st floor beyond the telephone exchange to the undulating farmland in the south. Bathrooms have been positioned within the East and West gables further privacy is offered by applying obscure glazing.

3.1.3 MATERIALITY

BUSINESS (INDUSTRIAL UNIT):

It is proposed to use a contemporary external materials and finishes palette. This would include the use of a high-quality metal cladding system (Kingspan or Equivalent). The main elements light grey in colour with doors, framing, flashings in a darker grey to compliment the use of stone on the Forsyth street elevation of the retail unit and in keeping with the stained grey timber/ Caithness stone proposed for the residential units at the rear of the site.

External Walls – 80mm Composite insulate metal panel (goosewing grey) Metal roof trims and flashings (graphite grey)
Roofing - 80mm Composite Insulated metal roof panels (goosewing grey) Metal roof trims and flashings (graphite grey)
Windows/ Rooflights – Double glazed units
Insulated Sectional Overhead Doors – Metal (meets secure by design criteria) RAL 7024 Graphite Grey
Personnel Doors – Metal (meets secure by design criteria) RAL 7024 Graphite Grey



RETAIL:
It is proposed to use a contemporary external materials and finishes palette. This would include the use of high-quality Kingspan metal standing seam roof tiles, modern K-Rend roughcast render wall finishes with larch timber cladding and Caithness stone cladding a contemporary but complimentary detail on the Forsyth street elevation to relate to the adjacent stone used on facing residential properties. The Service Yard to the rear would be enclosed using a high quality powder coated metal post with timber infill system to ensure

External Walls Type 1 – Smooth K-Rend White Render
External Walls Type 2 - 145x23mm 'NORDIC SPRUCE' VERTICAL SHIPLAP TIMBER EXTERNAL CLADDING BOARD
External Walls Type 3 – Caithness Stone Cladding Panel (grey)
Roofing – Metal Kingspan standing seam roof panels (grey)
Windows - Powder coated aluminium finish – Ral 7043 Traffic Grey
Doors – Powder coated aluminium finish – Ral 7043 Traffic Grey

RESIDENTIAL:
It is proposed to use a contemporary external materials and finishes palette. This would include the use of high-quality concrete smooth grey roof tiles, modern K-Rend roughcast render wall finishes with larch timber cladding and elements of Caithness stone. Sensitive boundary treatments would be provided to give a modern aesthetic character and aid place making.

External Walls – Smooth White Render/ Timber cladding/ Caithness Stone
Roofing – Marley Edgemere Grey with Teracotta Ridge
Windows – Timber Stained Grey
Doors – Timber stained Grey

Front Elevation 1:100

Side Elevation 1:100

3.1.4 ROADS & PARKING

A new junction is proposed, formed off of Forsyth Street to the left of the proposed retail unit leading into the site. A new layby is also proposed directly in front of the retail unit which prevents large commercial vehicles entering or turning within the proposed site, all retail deliveries would arrive into the layby, to be offloaded and taken into the store through the back of house entrance (refer to Drawing L-106 Proposed Elevations). It has been considered however that refuse vehicles will have to enter the site to reach the residential bin store, and a Swept Path analysis has been prepared in support of this application. (Refer to 10054-C-40). The service yard for the retail element is accessible only on foot via the service lane running upside the western edge or via rear doors through back of house.

Residential, Retail and Business premise Parking has been kept distinctly separate, with residential park situated closest to the flats and clear of all retail & business proposed spaces. There are designated parking bays allocated for business use, they are accessible directly from Forsyth Street and are located to the front of the industrial unit. A further 12 bays have been designated for residential parking only, positioned immediately in front of the residential blocks, it is intended bay no's would be allocated and appropriate signage installed to highlight spaces are for residential use only. In addition there are 21 spaces provided for retail, under Moray Council parking guidelines, this falls short by 2 spaces, this has also been considered however and given the rural location and following discussions with the Co-op it is evident from precedents within the retail statement, carpark areas are unexpected to ever require full capacity. It is also expected that with improved pedestrian and cycle ways both within and immediately outside the boundary this will greatly reduce parking need. 2 Spaces have been allocated as disabled, with a space identified for electrical vehicle charging. Initial proposals had shown parking bays allocated within the proposed loading bay, these have subsequently been removed and reallocated to the rear. (Refer to L-0003B Proposed Site Plan). Proposals align with guidance set out in the Moray Council 2015 LDP as noted below;

"On all streets a minimum of 75% of car parking must be provided to the side or rear and behind the building line with a maximum of 25% car parking within the front curtilage or on street,"

Cycle Bays are to be provided to the left of the proposed entrance into the retail unit, with 2 additional cycle storage areas highlighted immediately outside both residential units.

3.1.5 IMPROVED PEDESTRIAN AND CYCLEWAYS

New connections would be created with the existing road and path network to allow for the provision of a walkable neighbourhood, which is safe and well integrated into the surrounding area. A crossing is proposed to the left of the proposed junction over Forsyth Street allowing pedestrians and cyclists a safe route of passage with the majority of those on foot/ cycle to be approaching from the North where the majority of residential properties lie. A second crossing point as indicated on the proposed site plan is located within the newly formed junction allowing both pedestrian and cyclists a safe point of crossing to approach the proposed retail element, or to safely pass through the site to the third proposed crossing leading towards the proposed residential units.

Additional street lighting would be proposed in line with legislation and consultation with Moray Council's Roads and Transport team. Specifically to ensure the newly formed junction is well lit, as well as the relocation of existing street lighting which is currently located where the

new junction is to be formed. The carpark would include additional street lighting along with feature bollard lighting to highlight pedestrian routes and promote wayfinding. A BT box located in front of the retail unit where the existing footpath disconnects would remain in its current location. Cycle hoops are proposed for both the retail and residential to promote greener travel, and to reduce the volume of traffic visiting the site.

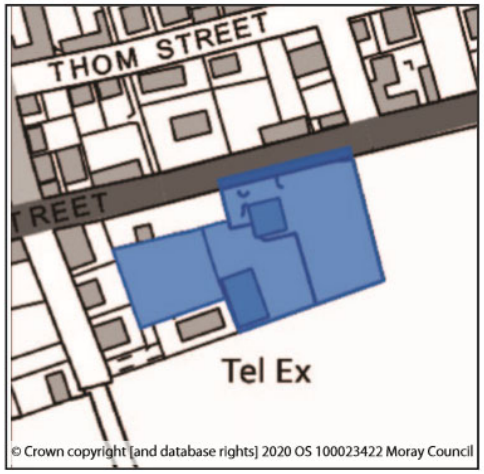
3.1.6 DRAINAGE AND SUDS

A fully detailed DIA has been prepared and will be submitted in support of this submission (Document Ref 10045/Civil/R001) It is intended that Roads, Parking and Roof (Surface Treatment) will be treated by means of an existing offsite swale and detention basin, This was constructed 200m west of the site as part of a Springfield Homes development further treatment is proposed by use of porous paving which will be added as a feature within the parking areas. Full details are provided within the DIA. Foul connections will be made into the existing Scottish Water network.

3.1.7 LANDSCAPING

Areas of landscaping are proposed principally fronting the north elevations of the residential units, this is to provide screening from the car parking area and to conceal the roadside bin stores necessary for refuse collection. The strip of landscaping will create a distinct boundary between residential and retail/ business and will consist of semi mature trees with shrub and bulb planting beneath. . Appropriate hedgerow and tree planting would be retained along the East and Western boundary edges of the site, ensuring undisturbed privacy to neighbouring plots.

I1 Forsyth Street Existing Business Area



- Flood Risk Assessment (FRA) required.
- Drainage Impact Assessment (DIA) required.
- Noise Impact Assessment (NIA) may be required depending on use.
- Existing roadside verge along site frontage must be retained for future footway/cycleway provision.

Extract from Moray Council LDP 2015 highlighting area designation

3.2 Proposed Industrial

Scottish Planning Policy requires development plans to designate sites that meet the diverse needs of different types and sizes of business in a way that is flexible enough to accommodate changing circumstances. The top priority of the Community Planning Partnerships 10 year plan, Moray 2026 is “a growing, diverse and sustainable economy.” (Moray Council LDP 2020). The introduction of a modern new, light industrial unit which has the adaptability to be easily reconfigured internally to potentially accommodate 2 small businesses, has been designed with a small start-up business in mind.

In rural areas the Council would wish to support economic development and sustain employment in rural areas. The policy seeks to support rural business proposals that fit into the environment and can be adequately serviced. Locational need is where it is necessary for a proposed development to be located at or in close vicinity of the development site; necessary in this context means more than convenience. (Moray Council LDP 2020 - DP5 Business & Industry.

Given that the site is earmarked for Business use, it is not expected that this element will be contentious.

3.3 Proposed Retail

3.3.1 It is important to note that a full detailed Retail Statement has been prepared and will be submitted in support of this application. This report was prepared by:

North Plan Development
2nd Floor Tay House
Glasgow
G2 4JR

The proposed retail element is a single storey building comprising of 372sqm, along with associated landscaping, parking and improved pedestrian routes. A service yard is to be located at the rear, however it is important to note that the yard would be accessible by foot only, with all deliveries received within a proposed loading bay at the front of the store, this would remove the need for any delivery vehicles to have to enter or exit the site.

3.3.2 The Moray LDP 2015 sets out a vision that places an emphasis on supporting Scottish Government’s aims of promoting sustainable economic growth, promoting a generous housing land supply, along with a low carbon economy and emphasis on design and place making. Its spatial strategy directs the main growth towards the area’s largest settlements. It places implementation of its priorities via a series of primary policies, these are reviewed hereafter. The site sits within the settlement of Hopeman, as identified in the adopted LDP. Whilst part of the site

is affected by Policy I1, which supports business and industrial uses, the front part of the application site, over which the Co-op store is proposed, appears to be 'white land' and so that part is not affected by Policy I1.

"Small shops that are intended to primarily serve the convenience needs of a local neighbourhood within a settlement boundary will be supported. Depending on scale, proposals may be required to demonstrate that they will not have an unacceptable adverse impact on the vitality and viability of the network of town centres (Table 6), by a Retail Impact Assessment or Retail Statement. Within a neighbourhood one unit of up to 400m² designed to meet the day to day convenience needs of the neighbourhood will be supported. DP7 retail and town centres" (Moray Council LDP 2020)

3.4 Proposed Residential

3.4.1 The site proposals are considered to provide an opportunity for much-needed and wholly affordable housing which could support local facilities and amenities. The site is not identified for housing in the Local Development Plan however recognising Scottish Government's pledge to deliver 50,000 affordable homes over the next 5 years, the Local Housing Strategy's priority for the delivery of traditional affordable housing for rent and the need for these in rural locations we would request that this proposal is attributed significant weight to allow for an acceptable departure from the LDP in this instance. It has been agreed with Moray Council via email exchange on that a commuted sum would be paid in support of the application.

The SHIP states that "a commuted payment will be sought from developers where … the planning proposals would require multi tenure/multi use provision under one communal roof structure e.g. a block of flats or mixed residential/commercial buildings.

* Policy H9 is not applicable as the number of units proposed does not meet the current threshold of 10 units.

3.4.2 SPP suggests that in 'rural areas, and increasingly in urban areas, innovative and flexible approaches will be required to deliver affordable houses in suitable numbers.' In looking at exceptional cases for rural areas planning authorities can allocate land for affordable housing which would generally not receive planning permission if it were for market housing only. PAN 2/2010, presents as a further option the promotion of sites 'specifically for affordable housing to meet requirements identified in the Housing Need and Demand Assessment (HNDA) and Local Housing Strategy (LHS). This approach is most likely to be appropriate for small scale sites within or adjoining existing villages to provide for locally arising needs.' In the absence of such a policy approach, other proactive alternatives to promote affordable housing to come forwards, such as a more flexible approach on delivering sites like this, should be encouraged.

"Housing Land Requirement / Housing Supply Targets Scottish Planning Policy requires local development plans to take a longer term approach to housing land. The Scottish Government has ambitious targets for the provision of 50,000 new affordable homes through the "More Homes Scotland" initiative. An "effective" supply of land for housing is a key aspect of delivering this ambition and meeting wider housing need and demand." (Moray Council LDP 2020)

3.4.3 Policy E9 Settlement Boundaries states that ‘boundaries are drawn around each of the towns, villages and rural communities representing the limit to which these settlements can expand during the Local Development Plan period’. It further states that ‘development proposals immediately out with the boundaries of these settlements will not be acceptable, unless the proposal is a designated “LONG” term development site which is being released for development under the terms of Policy H2.

3.4.3 The settlement boundaries are defined on the proposals maps for the purpose of guiding development to the towns and villages sustainably, preventing ribbon development and maintaining a clear distinction between the built up area and the countryside. The Forsyth Road development is within the settlement boundary, so it is therefore not going against the limitations set out within the LDP. Development of this site would not unduly impact on Hopeman’s countryside hinterland and in doing so would not represent an erosion of its character or setting.

3.4.4 The selected Cawdor style has been proposed to allow for fully accessible flatted properties to cater for a wide variety of potential residents from first time buyers, small families, to pensioners. The introduction of housing with a retail element in such close proximity supports residents within this site, but also within the new homes which have been approved for construction to the west and those within existing residential areas towards the North.

4.0 Key Planning Requirements

4.1 Sustainability & Energy Efficiency

4.1.1 The materials used within construction will be locally sourced where possible, tendering for the project will be restricted to locally based contractors.

BUSINESS/ INDUSTRIAL:
The business starter unit(s) have been designed to be unheated, however, composite insulated panels are being utilized, ready for tenants to line out should they wish to. This forward thinking creates a superior comfort to the units, minimising the need for heating within the buildings.

The unit(s) have extensive roof lights to maximising daylight. The buildings will make use of energy efficient fittings, with LED energy efficient lighting specified by the M&E consultants. External lighting to the building will have three settings to be ‘on’, ‘off’ or ‘auto’, as required and to lower electricity consumption. The unit(s) are to remain unheated and any heating system would be to the tenant’s specification at a later stage.

The units will be naturally ventilated through the sectional overhead doors and pass door to the front of each unit. The WCs will be mechanically ventilated.

RETAIL:
The retail unit has been designed to allow natural light and ventilation internally without the need for mechanical extraction. Walls floor and roof are specified to better the values set out within the Scottish Building Standards.

HOUSING:
The residential units have been designed with a focus on sustainability, carbon reduction and customer energy saving through highly efficient building fabric specification, technology and renewable energy sources. The houses have been orientated to take best advantage of passive solar gain with maximum North and South light throughout the day. The design ensures, all dwellings will be fitted with triple glazed high performance timber windows. Narrow plan forms allow for good natural daylighting

The houses incorporate enhanced day lighting using large windows and natural ventilation as considered potentially greater value and more user friendly than technologically driven techniques.

The houses are also to have good air tightness, and the floors, walls and roof are well insulated. Bettering the requirements set out within the Scottish Building Standards.

4.2 Active Travel

A transport survey is being undertaken as part of this application for Planning. This report will cover items relating to public transport, cycling and driving. The site as a whole provides ample parking which is clearly defined and designated to each specific element.

PUBLIC TRANSPORT

Situated on the B9040 which acts as he main through route within Hopeman, there are a number of bus stops located along Forsyth Street with one immediately adjacent to the proposed site. A frequent bus service along this route makes the site easily accessible by use of public transport. Introducing a safer pedestrian crossing point on Forsyth Street ensures the adjacent bus stop is utilised.

CAR CHARGING POINTS

An electric car charging point is proposed and located to the rear of the site to promote the use of electric cars. These charging points will be fed by a landlords electricity supply, under current legislation and on approval by the Scottish Energy Trust. It is proposed that the charge point available will be a fast charge point, and the bay will be easily identifiable with signage and demarcation.

CYCLING

Cycle racking has been incorporated to encourage cycling to work and business premises this is detailed within the transport statement which has been prepared to accompany this design statement.

The promotion of cycling is intended to reduce CO2 emissions and promote healthy lifestyle and wellbeing. The site makes best use of this by incorporating cycle bays in close proximity to the retail entrance and by incorporating 2 no cycle stores in close proximity to the entrances on the rear of the residential blocks.

4.3 Resource Efficiency

WATER

The small unit(s) proposed use is for WCs and wash hand basins meaning water consumption is low. Within the retail unit again it is expected a maximum of 6-7 staff with a minimal staffroom/ tea prep area proposed. Residential units will allow for the collection of rainwater to be harvested for use in landscaped/ garden areas.

The surface water drainage and rainwater run-off from the units is dealt with by means of an offsite SUDS system, full details can be found in the accompanying DIA as noted above. Porous paviours will be used within the car park area to provide and additional level of treatment if required. The drainage has been designed holistically for the site by the engineers, creating a comprehensive solution that will be agreeable to Scottish Water.

WASTE

Business:

The nature of the tenants would suggest that the majority of waste will be light industrial and should be within lease agreements that this must be disposed of responsibly and appropriately, and should be included within individual tenancy agreements.

Retail:

Waste will be stored within the secure service area at the rear of the store. The co-op have a detailed waste management strategy to promote recycling. Waste is collected from the store under private arrangements.

Residential:

Bin Stores have been located in close proximity to the residential blocks, and will comprise of secure lockable units. A further bin store has been provided on the edge of the residential parking area to allow ease of collection by the local authority on designated days.

4.4 Climate Change Adaption

Designed Building Flexibility

The proposed starter unit has been designed with the intention of promoting small scale business and start-up companies. The unit is perfectly suited to accommodate a small business but has been designed in a way that internal division is possible to split the unit and accommodate 2 smaller businesses. The retail unit will be constructed as a 'shell' and will be leased on a long term arrangement, the space could be refurbished to accommodate other business use if the retail element was unsuccessful.

Flood Prevention

As above – Drainage & SUDS

Low maintenance Build Materials

Robust and low maintenance building materials have been specified with the intention of reducing maintenance needs as well as any impact and pollution from carrying out maintenance works.

4.0 Conclusion

Now within a serious state of disrepair, with no past or current interest to redevelop with the exception of our client, there is a risk that without the gaining of consent to do so the site will become dormant and fall further into a state of dilapidation having a detrimental effect on the charm and character that is Hopeman. Once a former filling station/ garage, with potential to extend and adapt, sadly these proposals never came to fruition.

It is highlighted very clearly in the Moray Council LDP 2015 alongside the evolving 2020 LDP this site is designated for Business Use only. However, the proposals set out in this report are intended to offer a mixed use development that we feel has been carefully considered, one that we feel has the best chance of success given that precedent shows this area is unlikely to thrive if developed solely for business use. The proposed residential element is not significant with only 8 dwellings proposed, but one which we feel will bring a renewed sense of community and place to the area. The retail element is a small footprint and should not be viewed as a large scale commercial entity, but a far smaller retail outlet, which will offer residents an accessible option by foot or cycle preventing unnecessary travel to the larger surrounding towns.

Our client's intention is to work with Moray Council and the local residents to ensure that any approved proposal enhances the area not solely by regeneration of the site, but also by making significant contribution to the upgrade of areas out with the site boundary to ensure a safe, secure and accessible environment improving both pedestrian and cycle links.

ECS
TRANSPORT PLANNING LIMITED

Proposed Mixed Use Development, Forsyth Street, Hopeman

Transport Statement

July 2020

ECS Transport Planning Limited
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ECS TRANSPORT PLANNING LIMITED

Client Name: Springfield Real Estate Management Ltd
Document Reference: 01
Project Number: 20044

Issue	Date	Prepared by	Checked by	Approved by
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Comments

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1. Introduction

1.1. ECS Transport Planning Limited (ECS) has been commissioned by Springfield Real Estate Management Ltd to produce a Transport Statement (TS) in support of a proposed mixed-use development with associated parking on the Hopeman Service Station site adjacent to the B9040 Forsyth Street, Hopeman.

1.2. The proposals seek permission to demolish the existing service station and garage and construct a small food retail convenience store, a light industrial / commercial starter unit and 2 no. blocks of residential dwellings containing a total of 8 cottage flats with associated access, servicing and parking facilities.

1.3. This report examines the key transportation issues and access opportunities associated with all modes of travel from development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, where necessary.

1.4. The findings of this study are based on a review of the comments provided by Moray Council's Transport Planning Department (MC) within a consultation response to the planning application, consideration of representations by the public, a site visit, existing traffic observations and has been produced in accordance with the Scottish Executive (Government) document 'Transport Assessment Guidance' (2012), where appropriate. Consideration has also been given to the requirements of local and national government transport planning polices, including 'Designing Streets'.

1.5. The subsequent chapters of this report are structured as follows:-

- Development Proposals;
- Local & National Transport Policy;
- Sustainable Accessibility;
- Existing & Future Traffic; and
- Summary & Conclusions.

2. Development Proposals

Existing Site & Surrounding Area

2.1. Hopeman is a seaside village in Moray, on the coast of the Moray Firth, founded in 1805 to house and re-employ people displaced during the Highland Clearances. According to the 2011 census, Hopeman has a population of 1,724 residents within circa 701 dwellings.

2.2. The site extends 0.67ha and currently hosts a service station and garage which has fallen into a state of disrepair in its current condition. The site is considered to currently be dilapidated and detrimental to the character of Hopeman.

2.3. This site, which is brownfield in nature, is bounded to the north by the B0940 Forsyth Street, to the east by Tulloch of Cummings, to the south by a telephone exchange and agricultural land and to the west by residential properties between the site and Inverugie Road. The location of the site, in a local context, is highlighted in red within *Figure 1* below:-

Figure 1: Site Location

Based upon the Ordnance Survey's (1:1250) Map of 2020 with permission of the controller of Her Majesty's Stationery Office, Crown copyright reserved. ECS Transport Planning Ltd Centrum Offices, 38 Queen Street, Glasgow, G1 3DX. License No: 100055056

2.4. The area has a number of local amenities including Hopeman Primary School, Hopeman Stores, and Post Office (Premier), Costcutters, a general store, hairdressers and beauty salon, a butcher shop, a chemist, a fish & chip shop and recreational facilities.

2.5. The site is identified within the Local Development Plan as designated for Business Use, but it is clear that the site is not being utilised for business use and will, without substantial investment, deteriorate further over time. The site is well located in terms of access to arterial routes and public transport services to key areas of employment, such as, Elgin.

2.6. *Figures 2 & 3* below present the site in its current form. *Figure 2* displays a view of the site frontage looking south from Forsyth Street, with *Figure 3* illustrating the existing access arrangements.

Figure 2: View of Site from Forsyth Street

Figure 3: Existing Access Arrangements

Proposed Residential Development

Development & Access Overview

2.7. The proposals involve the demolition of the existing service station and garage onsite, and construction of a retail unit, a small light industrial unit and 2no blocks of residential cottage style flats. The development content will comprise of the following:-

- 372msq Gross Floor Area (GFA) Food Retail (Convenience Store);
- 112msq GFA Light Industrial / Business Use (Starter Business); and
- 8 cottage flats split equally between two blocks.

2.8. The site frontage will be reconfigured, with the access arrangement condensed and footway on the southern side of the carriageway reinstated. The large existing egress at the western side of the site will be removed and a new standard priority junction introduced to replace the eastern access. A new delivery / loading layby will be created on the southern side of Forsyth Street to the west of the enhanced site access with the footway routing around the rear. In additional to the proposed delivery bay, 4 new car parking spaces will be introduced on the northern western boundary at the rear of the footway accessible via dropped kerb.

2.9. The site access junction will provide a route to the central area of the site with parking located either side. The internal road will be introduced in a T-Shaped arrangement to support larger vehicle turning manoeuvres. The minor section of the internal T-Shaped arrangement will operate as a parking courtyard and will host parking facilities either side.

2.10. The light industrial unit will be positioned to the east of the access junction directly south of the 4 proposed site frontage parking spaces and east of the site spine road. The convenience retail store will be located on the northern boundary of the site, to the south of the proposed delivery loading bay. To the south of the access roads and parking facilities, the cottage flats will sit on the southern boundary side by side.

2.11. Pedestrian access to the site will be provided from the northern boundary via Forsyth Street. A new dropped kerb crossing with tactile paving will be introduced between the enhanced site access junction and the proposed frontage car parking spaces. Access to the light industrial unit will be via an entrance on the northern elevation which will front the footway, as will access to the retail unit with entrance directly south of the delivery bay.

2.12. A zebra crossing will be introduced within the private internal spine road to support pedestrians crossing the minor arm of the junction. Access to the residential cottage flats will be introduced via a footway between the retail building and the parking bays on the western side of the site spine road. Another zebra crossing will be introduced over the parking court providing access to a surfaced area around the perimeter of both flatted buildings.

2.13. The proposed site layout is illustrated on Drawing L-003 Rev B contained within *Appendix A*.

Development Parking Provision

2.14. The proposed development will provide a total of 37 car parking spaces, which will consist of 4 frontage access spaces from Forsyth Street in support of the light industrial unit, 12 bays for the residential dwellings located either side of the internal parking court and 21 spaces for the convenience retail store positioned adjacent to the main spine road. The provision for the convenience store will include 2 disabled bays and one electric charging station.

2.15. As requested within MC's consultation response, parking provision for the residential element of the site has been introduced in accordance with Moray Council's Parking Standards as 1.5 spaces per flat which equates to a total of 12 spaces. Given the provision also accounts for visitor use, the spaces will not be allocated which ensures more efficient use of parking spaces.

2.16. Furthermore, the ratio of 3 spaces per 100msq GFA has also been applied to the light industrial use. However, given that some of the residential parking will be vacant during key retail demand periods, it is not considered necessary to apply the full food retail parking requirement to the site given the potential for shared use. The proposed retail element will provide a total of 21 spaces which is two short of the recommended 23 space provision. Co-Op, who are likely to be the tenant of the proposed unit, are comfortable that the proposed provision is sufficient to accommodate demand based on knowledge of operations at similar sized stores in areas with comparable characteristics. Given the remote location of the store, the proposed unit includes a larger storage area than would be standard, as such, applying the full parking ratio to this area is onerous.

2.17. Cycle parking will be provided in accordance with Moray Council's Parking Standards, with 3 Sheffield Cycle Stands introduced at the rear of the retail building which will support a total of 6 bicycles at any time.

The provision is in excess of the minimum requirements for both the retail and industrial elements of the site as set out in MC's guidance.

2.18. Cycle parking for the residential element of the site will be provided in a secure sheltered facility at the rear of the buildings adjacent to the bin stores.

Service & Refuse Vehicle Access

2.19. Servicing, for the retail store, will be undertaken from a dedicated layby on the southern side of the Forsyth Street carriageway adjacent to the unit. A traffic regulation Order will be promoted to restrict parking within the area. The dimension of the bay is more than adequate to support a standard 10m rigid delivery vehicle at a width of 3m and length of 18m. Servicing, if required, for the light industrial unit is envisaged to be undertaken by a small panel van.

2.20. Refuse collection will be undertaken internally for all three land uses. The refuse vehicle will enter the site in a forward gear route south on the spine road and turn right into the parking court. Once the bins have been collected the vehicle will reverse into the T-Shaped turning head arrangement and exit the site in a forward gear.

2.21. Drawing 20044_002, contained within *Appendix B,* demonstrates a service vehicle entering and exiting the proposed loading layby on Forsyth Street. Drawing 20044_001, also contained within Appendix B, demonstrates a refuse vehicle can be safely accommodated within the proposals, allowing vehicles to enter and exit the site in a forward gear, with Drawing 10045_401 illustrating fire tender access to the site.

3. Local & National Transport Policy

3.1. The planning system is used to make decisions about the future development and use of land in our towns, cities and countryside. It considers where development should happen and how development affects its surroundings. The system balances different interests, including transport, to make sure that land is used and developed in a way that creates high quality, sustainable places.

3.2. To inform this process, National and Local Government have developed a series of policy documents / statements and guidance in terms of transportation. As most forms of transport are fundamental to modern life, whether moving people to school, work, shopping or recreation, the integration of transport and land use is a key element to support economic growth, as well as, social inclusion. In reducing Scotland's carbon footprint, the promotion of public transport is seen as key for new developments with walking and cycling taking an important role.

3.3. The following provides an overview of the current national / central and local government policies and guidelines, which the development proposals and site will be reviewed against within this report.

National / Central Government Transport Planning Policy

The Government's White Paper

3.4. The White Paper 'The Future of Transport: A Network for 2030, Executive Summary, Paragraph 6' states that:-

"We need a transport network that can meet the challenges of a growing economy and the increasing demand for travel, but can also achieve our environmental objectives. This means coherent transport networks with:-

- *the road network providing a more reliable and free-flowing service for both personal travel and freight, with people able to make informed choices about how and when they travel;*
- *the rail network providing a fast, reliable and efficient service, particularly for interurban journeys and commuting into large urban areas;*
- *bus services that are reliable, flexible, convenient and tailored to local needs;*
- *making walking and cycling a real alternative for local trips; and*
- *ports and airports providing improved international and domestic links."*

Scottish White Paper

3.5. The Scottish White Paper, 'Scotland's Transport Future, Section 2: Objectives' outlines new objectives for achieving an integrated and sustainable transport system in Scotland:-

"Our objectives are to:-

- *promote economic growth by building, enhancing, managing and maintaining transport services, infrastructure and networks to maximise their efficiency;*
- *promote social inclusion by connecting remote and disadvantaged communities and increasing the accessibility of the transport network;*

- *protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy;*
- *improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff;*
- *improve integration by making journey planning and ticketing easier and working to ensure smooth connection between different forms of transport".*

Scottish Planning Policy

3.6. National policy for transport is detailed in Scottish Planning Policy (SPP). The relevant aim of planning policy is to support and accommodate new investment and development in locations accessible by a range of means of transport which seek to minimise the impact on existing transport networks and the environment.

Planning Advice Note 75: Planning for Transport

3.7. Planning Advice Note (PAN) 75 accompanies SPP and provides a good practice guide for planning authorities and developers in relation to carrying out policy development, proposal assessment and project delivery. The aim of the document focuses on how planning and transport can be managed; the role of different bodies / professions in the planning process and provides reference to other sources of information.

3.8. Respectively, paragraphs 7 and 24 of the document state the following in terms of transport:

"The intention is for new developments to be user focused and for the transport element to promote genuine choice, so that each mode contributes its full potential and people can move easily between different modes. Consideration should be given to freight logistics as well as person travel."

"Development plan policy should encourage development of significant travel generating proposals at locations which are key nodes on the public transport network that have a potential for higher density development and a potential for mixed use development with an emphasis on high quality design and innovation. These locations should encourage modal shift of people and freight by providing good linkages to rail, walking and cycling networks and with vehicular considerations, including parking, having a less significant role. Mixed use development, for example the inclusion of local shops and services within larger housing developments can encourage multi-purpose trips and reduce overall distances travelled by car by bringing together related land uses."

3.9. Furthermore, maximum travel distances for walking and cycling, as well as, establishing how far people would be prepared to walk to access public transport are contained within PAN 75. From paragraph B13, the document states the following:-

"Accessibility to public transport services:

- *For accessibility of housing to public transport the recommended guidelines are less than 400m to bus services and up to 800m to rail services."*

"Accessibility to local facilities by walking and cycling:

- *A maximum threshold of 1,600m for walking is broadly in line with observed travel behaviour."*

Designing Streets

3.10. This document is the first policy statement in Scotland for street design and sits alongside Designing Places, setting out government aspirations for design and the role of the planning system in delivering these. Together, they are the Scottish Government's two key policy statements on design and place making. Both documents are national planning policy and are supported by a range of design-based Planning Advice Notes (PANs). Designing Streets updates and replaces PAN 76 New Residential Streets (which is now withdrawn) and, in doing so, marks a distinct shift, raising the importance of street design issues.

3.11. The key policies from Designing Streets that should be considered are as follows:

- *"Street design must consider place before movement.*
- *Street design guidance, as set out in this document, can be a material consideration in determining planning applications and appeals.*
- *Street design should meet the six qualities of successful places, as set out in Designing Places.*
- *Street design should be based on balanced decision-making and must adopt a multidisciplinary collaborative approach.*
- *Street design should run planning permission and Road Construction Consent (RCC) processes in parallel."*

Scottish Executive Development Department: Transport Assessment Guidance (TAG)

3.12. The above document was published in 2012 and seeks to provide a best practice guide to help identify and deal with the likely impacts of development proposals in-terms of transport. As with SPP, this guidance focuses on the overall accessibility of the development. Detailed below are the key aims of a Transport Assessment.

- Reducing the need to travel, especially by private vehicle;
- Reducing environmental impact of development;
- Encouraging accessibility of development / location; and
- Promotion of measures that influence sustainable travel behaviour.

3.13. TAG provides recommendations for pedestrians, cyclists and public transport accessibility in relation to new development, defining mechanisms for identifying the location and measures.

3.14. Paragraph 2.9 of the document states that:

"Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."

"In many cases, vehicle impacts will still be important and, in terms of the principals involved in the analytical process, will generally follow the well-established IHT procedures…"

Let's Get Scotland Walking - The National Walking Strategy

3.15. Let's Get Scotland Walking is a strategy to increase the number of Scots who are physically active and build on Scotland's outstanding opportunities for walking both in urban and rural areas. The foreword of the document states:

"There are many benefits from getting Scotland walking, including: more people will use active travel more often and will walk more for pleasure and for recreation; children will have safer routes to school and local facilities; older people will feel more connected with their communities; employers will have a healthier and more productive workforce; Scotland will reduce its use of carbon; and local economies will benefit from increased footfall."

3.16. The vision and aims of the document are as follows:

"A Scotland where everyone benefits from walking as part of their everyday journeys, enjoys walking in the outdoors and where places are well designed to encourage walking."

3 Strategic Aims are:

- *Create a culture of walking where everyone walks more often as part of their everyday travel and for recreation and well-being*
- *Better quality walking environments with attractive, well designed and managed built and natural spaces for everyone*
- *Enable easy, convenient and safe independent mobility for everyone*

Cycling Action Plan for Scotland

3.17. The actions in this document aim to increase cycling across Scotland, supporting both new and experienced cyclists. It outlines a framework for delivering the vision, setting out what the Scottish Government will do, what they expect others to do and what outcomes they expect that action will achieve.

3.18. The Scottish Government's purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. This first ever Cycling Action Plan for Scotland (CAPS) sets out how cycling, within the wider context of walking and active travel, contributes to this purpose, particularly through improving health, reducing congestion, reducing carbon emissions and providing a good transport alternative to persuade people out of cars.

3.19. Currently 1% of all journeys by Scottish residents are made by bicycle (Scottish Household Survey Travel Diary, 2008), and the Scottish Government would like to see this increased tenfold to 10% by 2020. Although this is an ambitious vision, the Scottish Government believe it is achievable. Around half the short journeys made (under 2 miles) are made by car; many of these could be switched to bike. This Action Plan aims to provide a framework to help create an environment which is attractive, accessible and safe for cycling.

Local Transport Planning Policy

Local Transport Strategy

3.20. Transport is an important part of the economy in Moray, particularly given its rural and peripheral nature. Developing a transport system that supports economic development, sustainable development, equality, social inclusion and health improvement principles will be a major challenge. A further challenge is safeguarding the quality of life for the citizens of Moray by finding new ways to maintain and increase sustainable economic development, without causing undue traffic growth, congestion and environmental damage.

3.21. The general need for reduction in levels of road traffic in parts of Scotland is not being challenged in the LTS, and there is general agreement that wherever possible efforts should be made to encourage the use of modes of transport other than the private car. The Council is currently pursuing various initiatives which would at least make a small contribution to this objective. These include Safer Routes to School, Rural Transport Initiatives and the preparation of Access and Cycling Strategies. Nevertheless, it must be acknowledged that the character of Moray, which is dictated by its rural location and the particular constraints which apply to public transport, means that some measures which might be successful in other parts of Scotland would be wholly inappropriate in this area. Therefore, it is not considered that setting targets to reduce traffic volumes on non-trunk roads is appropriate in Moray.

3.22. The purpose of the LTS is to set out a framework for taking forward transport policy and infrastructure within Moray nut can be summarised as follows:

VISION

3.23. Excellent connections and accessibility are achieved for Moray through a safe, integrated, reliable and affordable transport system that is inclusive and supports economic development and the needs of local communities whilst safeguarding the environment.

OBJECTIVES

Introduction

3.24. The following objectives have been developed, as a result of the consultation process. These have been split into two categories, comprising of Key Objectives and Sub-Objectives.

Key Objectives

3.25. The Key Objectives provide a framework for progress at a local level and provide a basis for the LTS.

- K1: Support and enable economic development through a sustainable transport infrastructure;
- K2: Promote safer, inclusive and affordable travel for all;
- K3: Maintain and improve the existing transport infrastructure to enable an effective and reliable transport network;
- K4: Improve accessibility to jobs, services and facilities;
- K5: Increase sustainable travel choices to promote travel behaviour change and reduce the need for car use and the environmental impact associated with transport and health;
- K6: Promote integration across different modes, policies and land-use planning.

Sub-Objectives

- S1: Support the improvement of connections (road, rail, sea and air) to the rest of Scotland, the UK and Europe;
- S2: Develop solutions to traffic safety and capacity problems within Moray and work with the Scottish Government, developers and others to minimise predicted problems;
- S3: Support good quality and affordable public transport systems and where appropriate provide and maintain a network of socially desirable bus services to supplement the commercial network;
- S4: Review the role of Moray harbours;
- S5: Ensure adequate car parking provision to meet the need of communities;
- S6: Support improvements to passenger and freight rail services;
- S7: Work with others to reduce additional transport costs related to Moray's location in Scotland, the UK and Europe;
- S8: Encourage less car dependent forms of transport and where appropriate encourage road traffic reduction, walking, cycling and other active travel initiatives;
- S9: Work with others to improve transport infrastructure related to recreation and tourism;
- S10: Support access to the countryside and well being initiatives.

Delivery and monitoring

3.26. Like many other authorities, the success of the Local Transport Strategy will be constrained by competing demands on budgets. Annual budget and implementation reports will continue to be brought forward for Committee approval. Details of the approved budgets and plans will be made available on the Councils website.

3.27. Data collection and monitoring will continue. This will include aspects such as existing key performance indicators including road condition monitoring, lighting repairs and road accidents.

Summary

3.28. Both Local and National Government policy highlight the need to consider sustainable transportation modes when considering the likely impacts of development sites.

3.29. The promotion and connection to public transport is seen as key to providing an access strategy for new development, with walking and cycling taking an important role. The policies all highlight transport sustainability in terms of social inclusion, environmental impact, successful integration and safety.

3.30. In addition, the Scottish Government document "Transport Assessment Guidance" supports the need for consideration of a sustainable approach to transportation planning.

4. Sustainable Accessibility

4.1. The following provides an overview of the likely travel demand for sustainable modes of travel created by the proposed development. The predicted uplift in walking, cycling and public transport trips is assessed in line with the existing provision and facilities in the surrounding area, with improvements to enhance accessibility by each mode considered, where necessary.

4.2. There are various measures of accessibility and methods of calculation. Determining the accessibility of a site generally requires calculating the travel time by different modes; i.e. walking, cycling, public transport and private car. From 'Transport Assessment Guidance' Journey times of up to 20-30 mins are appropriate for walking and 30-40 mins for cycling.

4.3. In line with PAN 75, when assessing a development site, it is good practice to consider travel distances for walking and cycling, as well as, establishing how far people would be prepared to walk to access public transport. The suggested walking distances to public transport interchanges and local facilities are as follows:-

- 400m to bus services;
- 800m to rail services; and,
- 1,600m to local facilities / amenities.

4.4. It should be noted that the distances detailed above are recommended acceptable walking distances from a development site to surrounding facilities, however, theses distances are often exceeded in rural locations.

Multi-Modal / People Trip Assessment

4.5. It is stated within 'Transport Assessment Guidance' that *"Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."*

4.6. In accordance with 'Transport Assessment Guidance', a person trip assessment has been undertaken to determine the likely multi-modal characteristics of the residential element of the proposed site. To appreciate the future travel characteristics of the development site, reference has been made to Scottish Census 2011 website (http://www.scotlandscensus.gov.uk), which defines 'Method of Travel to Work or Study' for the local area that applies to the location of the proposed development site. A summary of the corresponding mode share statistics are shown in *Table 1* overleaf, with the full 2011 National Census outputs detailed within *Appendix C*.

4.7. To assess the level of person trips, the corresponding weekday AM and PM proposed development peak hour (two-way) traffic generation, as indicated in *Table 5*, was applied to the percentage modal split for 'car drivers' (i.e. 49.62%). The remaining mode related trips were proportioned in line with the traffic generation, as indicated in *Table 2* overleaf.

Table 1: 2011 National Census 'Method of Travel to Work or Study Statistics

Mode	Census Output	Modal Split
Underground	2	0.19%
Train	43	4.13%
Bus	150	14.42%
Taxi	9	0.87%
Car or Van	516	**49.62%**
Passenger	82	7.88%
Motorcycle, Scooter or Moped	5	0.48%
Bicycle	18	1.73%
On Foot	172	16.54%
Other	43	4.13%
Total People	**1040**	100%

Table 2: Proposed Residential Development Modal Split and Mode Share (Two-Way)

Mode of Travel	Modal Split	AM Peak	PM Peak
Underground	0.19%	0	0
Train	4.13%	0	0
Bus / Coach	14.42%	2	1
Taxi / Minicab	0.87%	0	0
Driver Car / Van	**49.62%**	**6**	**4**
Passenger Car / Van	7.88%	1	1
Motorcycle / scooter	0.48%	0	0
Bicycle	1.73%	0	0
Walking	16.54%	2	1
Other	4.13%	0	0
Total	100%	**11**	**7**

Minor discrepancies are associated with rounding

4.8. The census information indicates that approximately 9% of adults work from home in and around the Hopeman area which has not been accounted for in the above calculations ensuring the assessment of each mode is robust. Clearly, those working from home would not impact on the commuter peak periods which would limit the impact on the existing transport infrastructure.

4.9. To determine the likely future travel choice associated with the retail unit, reference has been made to the industry standard Trip Rate Information and Computer System (TRICS) database. This database collates survey data for various development types and, based on the available information, 'Suburban' and 'Edge

of Town' has been used to assess the travel demand associated with the retail element of the site. The multi-modal travel information extracted from this database is contained within *Appendix C* with the resulting multi-modal / people trip generation (two-way) detailed in *Table 3* below.

Table 3: Proposed Retail Development Person Trip Generation (Two-Way)

Mode	AM Peak (08:00-09:00)		PM Peak (17:00-18:00)	
	Total Trip Rate	Total Trips	Total Trip Rate	Total Trips
Walk	18.354	68	21.347	79
Cycle	0.630	2	1.260	5
Public Transport	0.748	3	2.599	10

4.10. The light industrial proposals on site are of a size that is not comparable with any survey sites within the TRICS database, as a result, any movements to / from this facility during peak periods are considered to be insignificant and negligible on the network.

4.11. Furthermore, there has been no consideration take of the extant consent secured on the site and the associated generation that would be removed from the network with the change of land use.

4.12. The following paragraphs provide an overview of the existing walking, cycling and public transport opportunities, in line with the hierarchy of travel modes set out in SPP, demonstrating that the proposed development site is ideally located to be accessible by a range of travel modes, regardless of any additional facilities introduced as a part of the proposals.

Sustainable Travel Opportunities

Walking

Existing

4.13. At present, pedestrian facilities along the site frontage on the southern side of the Forsyth Street carriageway are intermittent and in a poor state of repair. However, there is a continuous footway present on the northern side of the carriageway which is in good condition, of a standard width and benefits from street lighting.

4.14. The footway on the northern side of the carriageway provides a connection to facilities on both sides of Harbour Street with dropped kerbs available to support crossing at regular intervals. Harbour Street is the main street through the centre of the village and provides a link to local amenities and the surrounding residential streets.

4.15. As would be expected within an established built-up village, the footways are interconnecting and penetrate the surrounding residential streets in a grid type arrangement.

4.16. *Figures 4 & 5* overleaf present the footway infrastructure adjacent to the site. *Figure 4* displays a view of the footways on Forsyth Street looking east, with *Figure 5* illustrating the facilities looking west.

Figure 4: View of facilities on Forsyth Street looking east

Figure 5: Facilities on Forsyth Street looking west

Proposed

4.17. From *Tables 2 & 3*, the proposed mixed use development could generate up to 70 and 80 (two-way) trips on foot during the AM and PM peak periods, respectively. However, it is expected that the level of walking trips could be increased given the walk-in catchment and the general accessibility to the village as a whole.

4.18. It is expected that the main pedestrian desire lines will be to the north of the development site, given the location of the village and majority of residential properties.

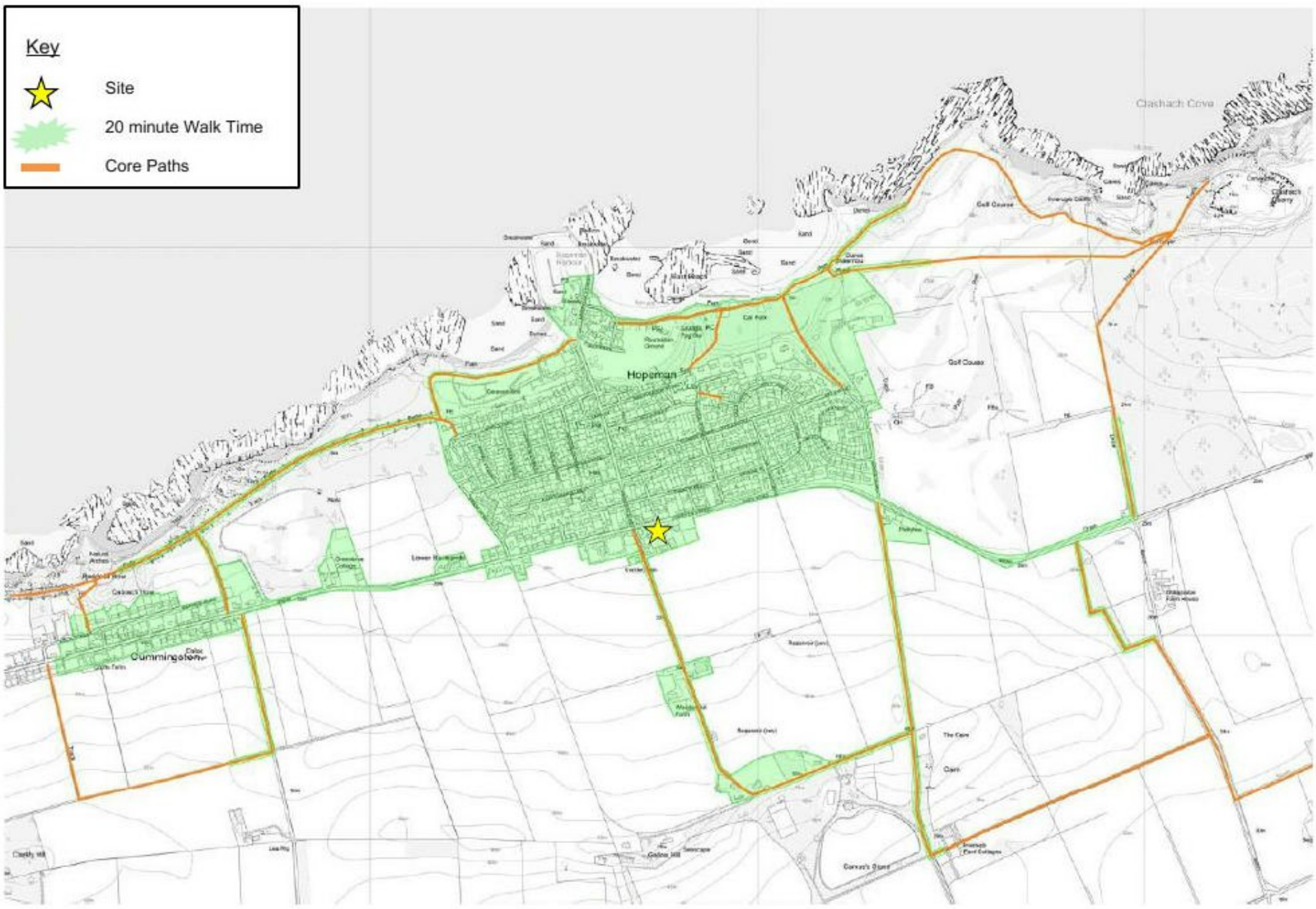
4.19. As part of the development proposals, the footway will be reinstated and upgraded along the site frontage with access provided direct to the retail and industrial unit entrances. Existing lighting columns will be relocated to assist with the introduction of the site access junction and the delivery layby. A zebra crossing will be introduced over the private internal access road to provide pedestrians with a safe crossing point over the minor access.

4.20. In addition to the crossing over the internal access, a new external crossing with be introduced over the B9040 Forsyth Street to the east of the proposed access junction. The crossing point will consist of dropped kerbs with tactile paving supporting access to the public transport facilities on the opposite side of the carriageway and also linking the site with the village.

4.21. Internally, residents of the cottage flats will be directed south via a footpath between the retail unit and the main spine road. A zebra crossing will be introduced to provide residents with support over the parking court aisle and a connection with the entrance to the dwellings.

4.22. From 'Transport Assessment Guidance' journey times of 20 – 30 minutes (circa. 1,600m – 2,500m based on an average walking speed of 1.4m/s) are considered to be appropriate for walking. These figures are broadly in line with the guidance set out in PAN75 which indicates a maximum walking catchment of 1,600m for local facilities and amenities. *Figure 6* presents a 20 minute (1,600m) walking isochrone in relation to the proposed development indicating that residential settlements and bus stops are available in the local area.

Figure 6: Walking Isochrones



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4.23. The site is an excellent example of the 'walkable neighbourhoods' aspiration outlined in Designing Streets where residents can work, live and shop within the local area without the need to utilise a private car.

4.24. It is expected that the inclusion of external footway connections with Forsyth Street and introduction of a new crossing facility over the site access junction and Forysth Street as part of the development will promote journeys on foot from the site and accommodate the expected uplift in pedestrian activity. It is therefore considered that the pedestrian generation calculated within the multimodal assessment will be exceeded, thereby reducing reliance on private car use for local trips.

Safe Routes to Schools

4.25. In line with Transport Planning Policy, Transport Statements / Assessments produced in support of residential developments should consider the safest route for young children travelling on foot or by bicycle to the nearest places of education. It is likely that children residing at the development site will be educated at Hopeman Primary School to the northeast of the site.

4.26. Hopeman Primary School is located on the east side of the village and has approximately 250 registered pupils. The catchment area includes Hopeman and nearby villages of Duffus and Cummingston.

4.27. As highlighted, the development will introduce a new crossing facility on Forsyth Street supporting access to the existing footway on the northern side of the carriageway. Approximately 170m east of the site, the footway on the northern carriageway of Forsyth Street connects with the footway on the western side of School Road. Pedestrians will require to cross minor junctions to reach School Road, but dropped kerb crossing facilities are present at both locations. The footway on School Road routes north terminating at a crossing point on Mid Street which connects the site to the Hopeman School gate. The route is less and 450m in length and well within the recommended walking distance of 1,600m to local facilities as outlined within PAN75.

Cycle Infrastructure

Existing

4.28. The residential nature of the surrounding road network is conducive to cycling with low vehicle speeds, generally 30mph speed restrictions, and low volumes of traffic.

4.29. Circa 4km south of the development site, National Cycle Route 1, Dover to the Shetland Islands, NCR1, intersects the B9013 south of Bank of Roseisle. The route provides access to the centre of Elgin in the east and Forres, Nairn and Inverness in the west. This cycle network runs along a combination of off-road and on-road routes, including the A96 Trunk Road.

4.30. The local Moray core path network also operates as shared cycle paths / footpaths. As previously described, there are several on and off-road core path / cycle routes within the village. Forsyth Street, along the development frontage, is detailed as a promoted path for cyclists. The paths connect the village with Burghead in the west and Lossiemouth in the east.

4.31. *Figure 6*, walking isochrones, indicates areas that can be reached within a 1,600m catchment of the development site, which equates to less than an 8 minute cycle time, indicating that cycling would be an attractive mode of travel for staff / customers accessing the site from the local residential areas. In addition, Lossiemouth and Elgin are within a circa 10km catchment of the development site, which equates to a cycle time of between 30 – 40 minutes which will be attractive to many of the residents accessing local employment centres.

Proposed

4.32. Results from the multi-modal assessment indicate that the development is likely to increase the number of cycling trips on the local road network by 2 movements during the AM peak period and 5 movements during the PM commuter peak. However, with the introduction of connections to cycling facilities and the promotion of a Travel Pack it is considered that cycling will be more attractive to residents than the multi-modal assessment suggests. The key cycle destinations from the residential site will be to education, amenities or public transport facilities for multi-modal travel.

4.33. Cycle parking for the retail unit will be provided in the form of three Sheffield Cycle Stands at the rear of the building which exceeds the minimum requirements detailed within Moray Council's Parking Standards. It is envisaged that these facilities will also support any demand from the small light industrial unit.

4.34. Secure and covered cycle parking for the residential element of the site will be provided at the rear of the buildings adjacent to the bin stores.

4.35. Based on the existing cycle opportunities, connections to cycle routes in the area and nature of the local road network, it is considered that the anticipated demand for cycling can be adequately accommodated.

Public Transport

Existing

4.36. The site is ideally located to access public transport facilities within the local area with bus services within easy reach of the site. Bus stops are located on Forsyth Street directly adjacent to the site frontage and benefit from shelters and timetable information.

4.37. At present, Stagecoach Service 32 services operates in the immediate locale of the development site. Details of bus provision available at the stop surrounding the site is summarised within *Table 4* below.

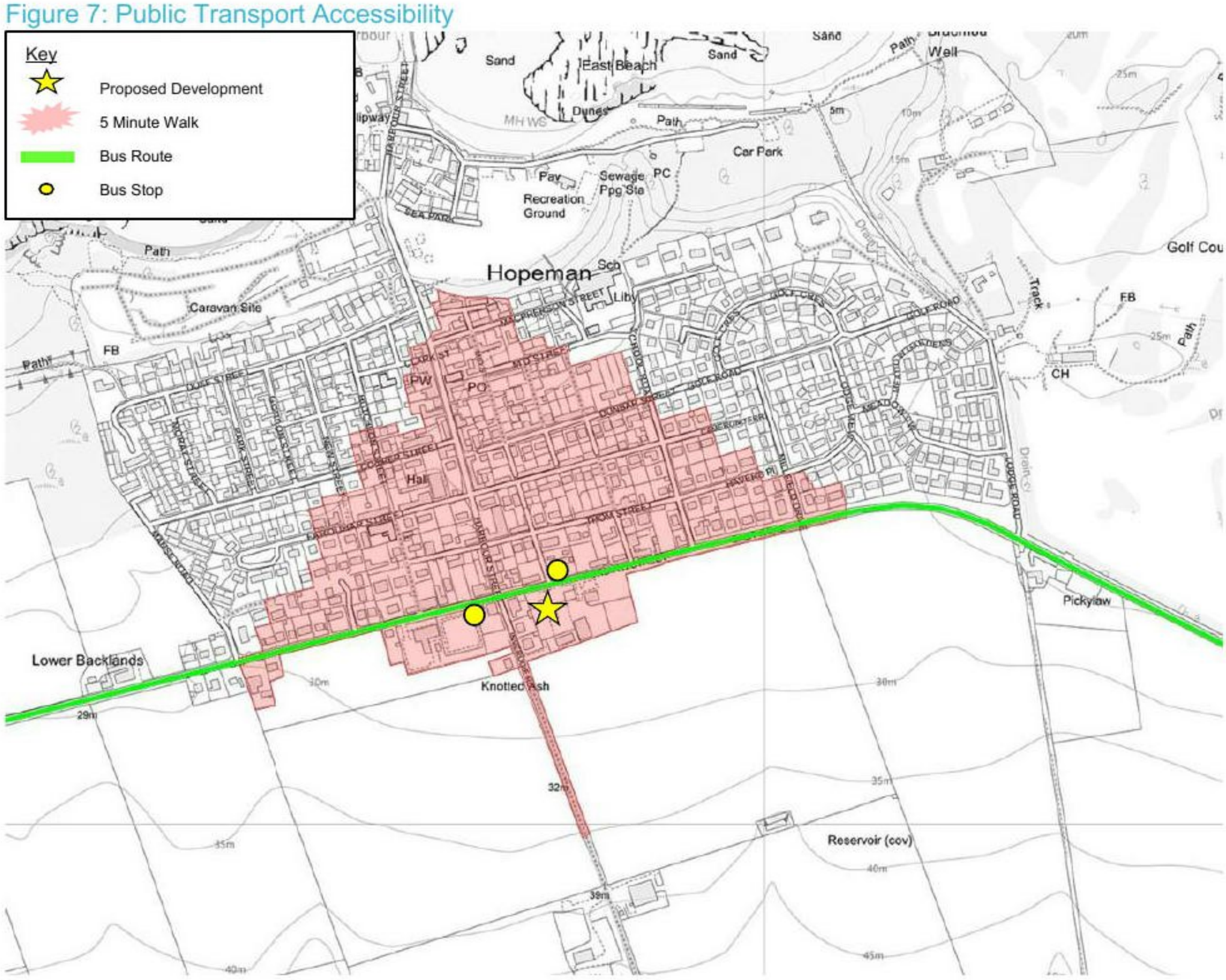
Table 4: Existing Bus Services

Operator	Service	Route	Frequency (mins)					
			Monday-Friday		Saturday		Sunday	
			Day	Night	Day	Night	Day	Night
Stagecoach	32	Elgin – Burghead	60	60	60	60	-	-

4.38. *Table 4* indicates that there is a regular service between Burghead and Elgin routing through Hopeman along Forsyth Street and past the front of the development site. As such, the services adjacent to the site provide an excellent service throughout the day and at evening during both the weekday and on a Saturday.

4.39. *Figure 7* indicates the location of public transport infrastructure in the vicinity of the site and the local bus routes.

Figure 7: Public Transport Accessibility



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Proposed

4.40. It is expected that there will be a regular demand for travelling by public transport to / from the development site during various times throughout the day, however, the largest demand will be associated with employment based trips. As a result, this public transport review focuses on the peak commuting periods, with up to 5 and 11 (two-way) trips estimated to be generated during the AM and PM peaks, respectively.

4.41. Given the location of the bus stops, and the residential settlements / employment centres accessible via these services, it is considered that the additional patronage generated by the development proposals can be easily accommodated by the existing provision.

4.42. It is considered that the available public transport within the area ensures that the development is located in an accessible area and will provide residents and staff with an alternative option to the private car, with timetables accommodating commuter travel.

Travel Plan Framework (Employment)

4.43. It is expected that a full travel plan will form a condition of any consent to ensure that relevant information reflective of Care Concerns specific operation and working conditions can inform the plan. The following provides a framework for a travel plan which will provide the basis for a full travel plan which will be completed in conjunction with MC.

4.44. In line with Transport Assessment Guidance, Travel Plans should first be introduced within the TS. However, a Travel Plan cannot be fully developed until the development is operational, therefore, the Travel Plan Framework below will be used to establish the requirements of the future Travel Plan for the employment element of the development.

4.45. The framework detailed below is not intended to represent a Travel Plan, but is intended to allow consideration of what may be required and is aimed primarily at staff travelling to the development site.

4.46. The Department of Transport (DoT) 'A guide on travel plans for developers' states:

'A travel plan is a strategy for managing all travel and transport within an organisation. It seeks to improve access to a site or development by sustainable models of transport. A travel plan contains both physical and behavioural measures to increase travel choices and reduce reliance on single-occupancy car travel'

4.47. The aim of travel plans, as outlined by Central Government Guidelines, is to address potential means of reducing reliance on staff single-occupancy car use and encouraging the use of alternative forms of travel.

4.48. A Travel Plan involves the development of a set of mechanisms, initiatives and targets that together enable organisations to reduce the impact of travel.

Objectives

4.49. There are a number of objectives, both at national and local level, that the implementation of the Travel Plan is intended to help fulfil:

- Influence travel behaviour;
- Generate fewer single-occupancy car trips than would otherwise be the case by encouraging a modal shift in travel to the site;
- Reduce the need for unnecessary journeys;
- Reduction in overall mileage;
- Help improve the health of staff; and,
- Accommodating those journeys that need to be made by car.

Targets

4.50. The objectives given above provide the framework for the Travel Plan measures. Where applicable, targets can be included to help achieve the objectives and there are two main types that are applicable. The most easily demonstrated is a commitment to deliver the package of measures set out in the plan. These measures include initiatives to promote increases in the use of walking, cycling, car-sharing and public transport use.

4.51. The second form of target is aspirational and related to proportional changes in the travel modes used to access the site. Aspirational targets are not generally set in advance of the development opening as the modal split of staff for the retail development is not known. Results of a staff travel survey (normally

undertaken within 6 months of the development opening) would provide information on the prevailing travel choices of employees and a basis for the setting of aspirational targets in a later revision of the Travel Plan.

4.52. The Travel Plan will be implemented by the end users, who will work in conjunction with MC and other interested parties in its continuing progression and be responsible for managing and implementing.

Initiatives

4.53. In order to ensure that the opportunities for modal shift can be realised there are a number of measures that will be considered and encouraged by the occupier(s) of the development:

- Provision of travel information - e.g. bus timetable information on staff notice boards;
- Measures to promote walking / cycling - washing and changing facilities, bicycle users group, information on walk / cycle routes; and,
- Car sharing - Promote a staff car sharing scheme as a means of reducing single occupancy car trips.

4.54. Travel Plans are primarily focussed on staff and therefore the majority of measures proposed within a plan are intended to encourage staff to use more sustainable modes of transport when travelling to the development.

Monitoring & Review

4.55. An objective of the Travel Plan is that there will be an on-going improvement process including periodic monitoring, where necessary.

Residential Travel Pack

4.56. Changes in travel behaviour can be further influenced through a Travel Plan, which involves the development of a set of mechanisms, initiatives and targets that will ultimately help to reduce the impact of travel.

4.57. The aim of travel plans, as outlined by Central Government guidelines, is to address potential means of reducing reliance on single-occupancy car use and encouraging the use of alternative forms of transport thus helping to reduce the impact of travel.

4.58. The value of school and workplace travel plans is now widely accepted and the majority of local authorities recognise the influence they can have on ensuring efficient travel planning in such environments. As it is now widely recognised that residents also benefit from an environment, which offers a wide range of public transport facilities and where intrusion by traffic is minimised, this concept is now being extended to residential developments, where it has become a vital tool in delivering sustainable communities.

4.59. Although a Travel Plan cannot be fully developed until the proposals are fully operational, a framework document can be used to establish the requirements of the Plan. The focus of this Residential Travel Plan is to help deliver a sustainable community and provide informed transport choices for residents.

4.60. There are a number of objectives, both at national and local level, that the implementation of the travel plan is intended to help fulfil:

- Influence travel behaviour of residents;
- Reduce the need for unnecessary journeys;
- Reduction in overall mileage;

- Help improve the health and wellbeing of residents;
- Accommodating those journeys that need to be made by car.

4.61. In order to ensure that the opportunities for modal shift can be realised there are a number of measures that will be considered and encouraged by the developer, such as:

- Information on the 'on and off road' pedestrian network routes for residents, and include any maps;
- Information on the local cycle network routes to residents, which will include any maps; and
- Provide up-to-date public transport information including timetables and bus company contact information.

4.62. One such method of providing residents with the above information is through issue of a Welcome Pack, however, the preparation of such a package is ultimately the responsibility of the builder. It is hoped that making residents more aware of local public transport facilities by such measures will encourage a modal shift from the private car to more sustainable forms of transport.

4.63. The provision of a residential travel planning leaflet would require to be in line with Moray Council's expectations and this should provide details of sustainable accessibility, in terms of walking, cycling and public transport.

4.64. The leaflet should cover a range of users and function and include the following information:

- School children travelling to / from school (primary and secondary);
- Disabled and elderly access;
- Leisure routes in the vicinity of the site;
- Access to the town centre; and
- Access to local amenities, including convenience stores and shops.

Sustainable Travel Summary

4.65. In accordance with local and national transport policy, an assessment of the development proposals has been undertaken for all sustainable modes of travel. This indicates that the current walking and cycling provision in the area is sufficient to accommodate the expected future demand from the site.

4.66. As part of the internal site design, connections to the existing footway networks are provided which link with existing public transport facilities enhancing connectivity with the surrounding area. A new crossing will be introduced on Forsyth Street to link the site with the wider residential area and public transport facilities on the opposite site of the carriageway. Finally, a travel plan will be developed for the employment elements of the site to encourage staff to travel by sustainable mode and a residential travel pack will be distributed to residents upon occupation of each property to highlight sustainable travel options and encourage a shift in mode choice.

4.67. The site is accessible to a range of sustainable modes of transport, integrates well with the surrounding residential area and is compliant with the principles of Designing Streets thereby ensuring that the site is compliant with the national and local policies highlighted within *Chapter 3*.

5. Vehicular Accessibility

5.1. The following presents a review of the surrounding road network and details how the likely level of private car use will be generated.

Surrounding Road Network

5.2. This section of the report describes the most likely routes vehicles will travel to the development site from residential settlements and from the site to places of education, work and recreation. The following provides an overview of the key route corridors.

Existing

5.3. *Figure 1*, Site Location, identifies the site, surrounding road network and its environs. The site is ideally located to access strategic transport links, such as, the B9040, B9012, B9013 and the A96(T).

5.4. The site is bound to the north by the B9040 Forsyth Street. Forsyth Street is a single carriageway road circa 6.5m in width operating in an east-west direction along the southern extent of the village. Subject to a 30mph speed restriction within the built-up area of Hopeman, the route hosts residential road characteristics, such as, frontage access, on-street parking and is a bus route, despite being of local distributor standard. Beyond the limits of the village the speed limit increases to national speed restriction and connects the village with Burghead in the west with Lossiemouth in the east.

5.5. The village of Hopeman has been developed around a traditional grid style road network with serval of the interconnecting road forming priority junctions with the B9040 on the northern side of the carriageway. The main street in Hopeman, Harbour Street, forms a cross-road priority junction with the B9040 Forsyth Street and Inverugie Road circa 30m west of the site.

5.6. Harbour Street, also a single carriageway road, penetrates the centre of the village and hosts many of the villages' local amenities and recreational facilities whilst also providing a link to the Harbour in the north.

5.7. The B9040 forms a priority junction with the B9013 St Aethans Road to the south of Burghead circa 2.5km west of the site. The B9013 is a single carriageway distributor road linking Burghead in the north with the A96 Trunk Road in the south. The A96 is the main arterial route in the area and provides the village with a link to Inverness in the west and Aberdeen in the east, via Elgin.

5.8. Alternative routes are available to the centre of Elgin, namely the B9012, which is also a single carriageway road subject to a 60mph speed restriction. The B9012 forms a priority junction with the B9040 less than 1,250m east of the site and routes through the village of Duffus before connecting with Morriston Road.

5.9. The road network surrounding the site provides directly links to the centre of the village and easy access to key distributor road providing links to the trunk road network and the main surrounding employment centres.

Proposed

5.10. As described within *Chapter 2*, the current access arrangement to the site with Forsyth Street on the northern boundary will be reconfigured and a single priority junction introduced to replace the former access / egress layout. The proposed / replacement junction will be introduced as a standard priority junction towards the eastern area of the site with standard Designing Street visibility splays provided.

5.11. The priority junction will support a single carriageway spine road which will connect to a parking courtyard in the south west of the site via a priority junction. The main internal spine road will terminate in a T-Shaped turning head.

5.12. Reconfiguration of the site access will permit the introduction of 4 dropped kerb parking spaces at the rear of the footway on the eastern side of the proposed priority junction and a new delivery layby on the western side of the junction. The delivery / loading bay will be subject to a Traffic Regulation Order to restrict public parking and control delivery times.

5.13. Parking for the site will be provided internal either side of the access spine road and both sides of the parking aisle within the courtyard.

5.14. The proposed access arrangement including visibility splays is presented on Drawing 20044_003 contained within *Appendix A*.

5.15. There have been various local representations submitted to Moray Council commenting on the means of access to the site and the nature of the adjacent road network. The standard of Forsyth Street and the volume of through traffic on the route are mentioned within many of the representations.

5.16. A food store should be located on a primary route, such as, Forsyth Street, to ensure pass-by traffic can easily access the site without the need to significantly divert through residential streets. Furthermore, the background traffic on Forsyth Street is not, in road design terms, significant.

5.17. As previously mentioned, the site has an extant land use which benefits direct from Forsyth Street which ensures that the means of access is committed in planning terms. It is understood that a residential development is currently under construction to the west of the site which benefits from direct access from Forsyth Street, thereby further demonstrating direct access from Forsyth Street is appropriate

Development Traffic

5.18. The industry standard TRICS database has been utilised to determine an appropriate vehicle trip rate for the retail and residential elements of the proposals as presented in *Tables 5 & 6* below and overleaf. A copy of the TRICS output is contained within *Appendix C*. As detailed within *Chapter 4*, there are no similar light industrial / business type developments of a comparable size on the database, therefore, it is considered that any generation, particularly during the commuter peak periods associated with this element of the proposals with be negligible.

5.19. It is estimated that the site will generate in the region of 69 and 77 (two-way) vehicle movements during the weekday AM and PM peak hours, respectively, which are expected to coincide with the peak background traffic periods.

Table 5: Residential Development Traffic Generation

8 Residential Units	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Trip Rate	0.210	0.481	0.691	0.259	0.185	0.444
Traffic Generation	2	4	6	2	2	4

Table 6: Residential Development Traffic Generation

372msq Food Retail	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Trip Rate	8.665	8.350	17.015	10.240	9.413	19.653
Traffic Generation	32	31	63	38	35	73

5.20. As highlighted within the tables *above*, two-way traffic generation associated with the development site is estimated to be marginally over 1 two-way vehicle movement every minute, on average, during the peak periods.

5.21. In addition, the site previously operated as a service station / garage which generated vehicle traffic at peak times. As the service station / garage will be removed to accommodate the mixed-use development the traffic associated with this use is considered 'committed' on the road network which would considerably reduce the nett increase of traffic on the road network as a result of the development proposals.

5.22. On the basis, MC confirmed within the consultation response, by the request for a Transport Statement, that a full assessment and detailed capacity analysis was not necessary.

Accident Review

5.23. When considering an appropriate access arrangement, consideration is given to the adjacent route network. As part of the consideration process, a review of Crashmap.com was undertaken to determine whether there were any safety issues surrounding the site. The review highlighted that there has only been one collision reported in the past 5 years on the B9040. The accident took place circa 400m east of the site and involved 3 vehicles. There were two slight injuries associated with the collision, which is considered to be caused by driver error.

5.24. The above review confirms that there are no safety issues with the current network arrangement in the vicinity of the site. Furthermore, the development proposals will rationalise the access points on the site, effectively improving road safety.

Construction Traffic Management Plan

5.25. Generally, the chosen haulage route is the shortest available to the strategic road network and focuses on trunk / distributor standard roads which are suitable to accommodate construction traffic vehicles. At this stage the specific construction route is unknown, but all routes to / from the A96 will be considered in due course.

5.26. Immediately upon commencement of the construction, all deliveries, operatives and visitors to the construction site will report to the site office. This will be communicated to all works contractors at their pre-start meeting. They will be informed by site staff of emergency procedures, assembly points, First Aid, site rules, etc.

5.27. Manned traffic management procedures will be adopted when very large loads are delivered to site. This is only for exceptional items and these movements will only occur occasionally and will be minimised, where possible.

5.28. Construction vehicles will be managed by the Project Manager overseeing direction of the project and by the Site Supervisor responsible for on-site activities. Contact details for both the Project Manager and Site Supervisor shall be provided to MC prior to works commencing and made visible on the site security hoarding.

5.29. Security hoarding around access points will be periodically inspected for damage by the site manager and remedial maintenance will be carried out if necessary.

5.30. Large vehicle deliveries will be coordinated directly between the project team and the supplier. Deliveries to the site by vehicles in excess of 3.5 tonnes will only be carried out between the hours of 09:00 and 17:00 Monday to Friday, and 08:00 to 13:00 on Saturday, however will be coordinated to avoid conflict with school opening and closing time periods.

5.31. All subcontractors will stipulate to the site manager their vehicle size, times for deliveries, access route and site access arrangement prior to delivery.

5.32. Deliveries will be restricted to site working hours as set out above or otherwise agreed with MC to reduce disruption to local residents and businesses.

5.33. Banksman will be provided for all HGV movements into and out of the site to minimise the potential impact on the public highway.

5.34. Wheel washing facilities are to be provided. These will be located on the egress of the site on an area of hard standing concrete. Jet washing wheels will be carried out by a traffic marshal or contracted labour.

5.35. The developer will ensure that the roads and footways surrounding the site are swept on a daily basis. This process is to ensure that any debris or dirt from the construction vehicles avoids getting transferred around the road network.

5.36. The owner will take reasonable steps to minimise noise and supress dust, dirt and debris generated by the scheme, working to the relevant British Standards and best working practices.

5.37. The main contractor and sub-contractors will subscribe to the “Considerate Contractors Scheme” and adhere to the guidelines set out by the scheme.

Vehicular Accessibility Summary

5.38. In summary, the nature of the surrounding road network is considered sufficient to accommodate the likely traffic demands associated with the development proposals, as a result, it is considered that the development site and proposals are in line with current transport planning policy.

6. Summary & Conclusions

Summary

6.1. ECS Transport Planning Limited has been commissioned by Springfield Real Estate Management Ltd to produce a Transport Statement in support of a proposed mixed-use development with associated parking on the Hopeman Service Station site adjacent to the B9040 Forsyth Street, Hopeman.

6.2. The proposals seek permission to demolish the existing service station and garage, and construct a small food retail convenience store, a light industrial / commercial starter unit and 2 no. blocks of residential dwellings containing a total of 8 cottage flats with associated access, servicing and parking facilities.

6.3. This report examines the key transportation issues and access opportunities associated with all modes of travel from development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, where necessary.

6.4. The findings of this study are based on a review the comments provided by Moray Council's Transport Planning Department (MC) within a consultation response to the planning application, a site visit, existing traffic observations and has been produced in accordance with the Scottish Executive (Government) document 'Transport Assessment Guidance' (2012), where appropriate. Consideration has also been given to the requirements of local and national government transport planning polices, including 'Designing Streets'.

6.5. The development content will comprise of the following:-

- 372msq Gross Floor Area (GFA) Food Retail (Convenience Store);
- 112msq GFA Light Industrial / Business Use (Starter Business); and
- 8 cottage flats split equally between two blocks.

6.6. The site frontage will be reconfigured, with the access arrangement condensed and footway on the southern side of the carriageway reinstated. The large existing egress at the western side of the site will be removed and a new standard priority junction introduced to replace the eastern access. A new delivery / loading layby will be created on the southern side of Forsyth Street to the west of the enhanced site access with the footway routing around the rear. In additional to the proposed delivery bay, 4 new car parking spaces will be introduced on the northern western boundary at the rear of the footway accessible via dropped kerb.

6.7. The site access junction will provide a route to the central area of the site with parking located either side. The internal road will be introduced in T-Shaped arrangement to support larger vehicle turning manoeuvres. The minor section of the internal T-Shaped arrangement will operate as a parking courtyard and will host parking facilities either side.

6.8. The light industrial unit will be positioned to the east of the access junction directly south of the 4 proposed site frontage parking spaces and east of the site spine road. The convenience retail store will be located on the northern boundary of the site, to the south of the proposed delivery loading bay. To the south of the access roads and parking facilities, the cottage flats will sit on the southern boundary side by side.

6.9. Pedestrian access to the site will be provided from the northern boundary via Forsyth Street. A new dropped kerb crossing with tactile paving will be introduced between the enhanced site access junction and the proposed frontage car parking spaces. Access to the light industrial unit will be via an entrance on the

northern elevation which will front the footway, as will access to the retail unit with entrance directly south of the delivery bay.

6.10. A zebra crossing will be introduced within the private internal spine road to support pedestrians crossing the minor arm of the junction. Access to the residential cottage flats will be introduced via a footway between the retail building and the parking bays on the western side of the site spine road. Another zebra crossing will be introduced over the parking court providing access to a surfaced area around the perimeter of both flatted buildings.

6.11. A people trip assessment of the development proposals has been undertaken for all modes of travel which confirms that the walking, cycling and public transport provision in the area is excellent and sufficient to accommodate the expected future demand. The development will be designed to link to the existing transport infrastructure and encourages access by all modes.

6.12. The nature of the surrounding road network is considered sufficient to accommodate the likely traffic demands associated with the development proposals, as a result, it is considered that the development site and proposals are in line with current transport planning policy.

Conclusions

6.13. This Transport Statement demonstrates that the development site will be accessible by sustainable modes of travel and integrate effectively with the existing transport network. In addition, the site can be accessed safely from the adjacent road network by private vehicles without compromising the safety or efficiency of existing road users, therefore, in transportation terms, this Transport Statement demonstrates that the proposed development satisfies all policy requirements.

APPENDICES

A. Site Layout

A1

Important notes for clients / contractors
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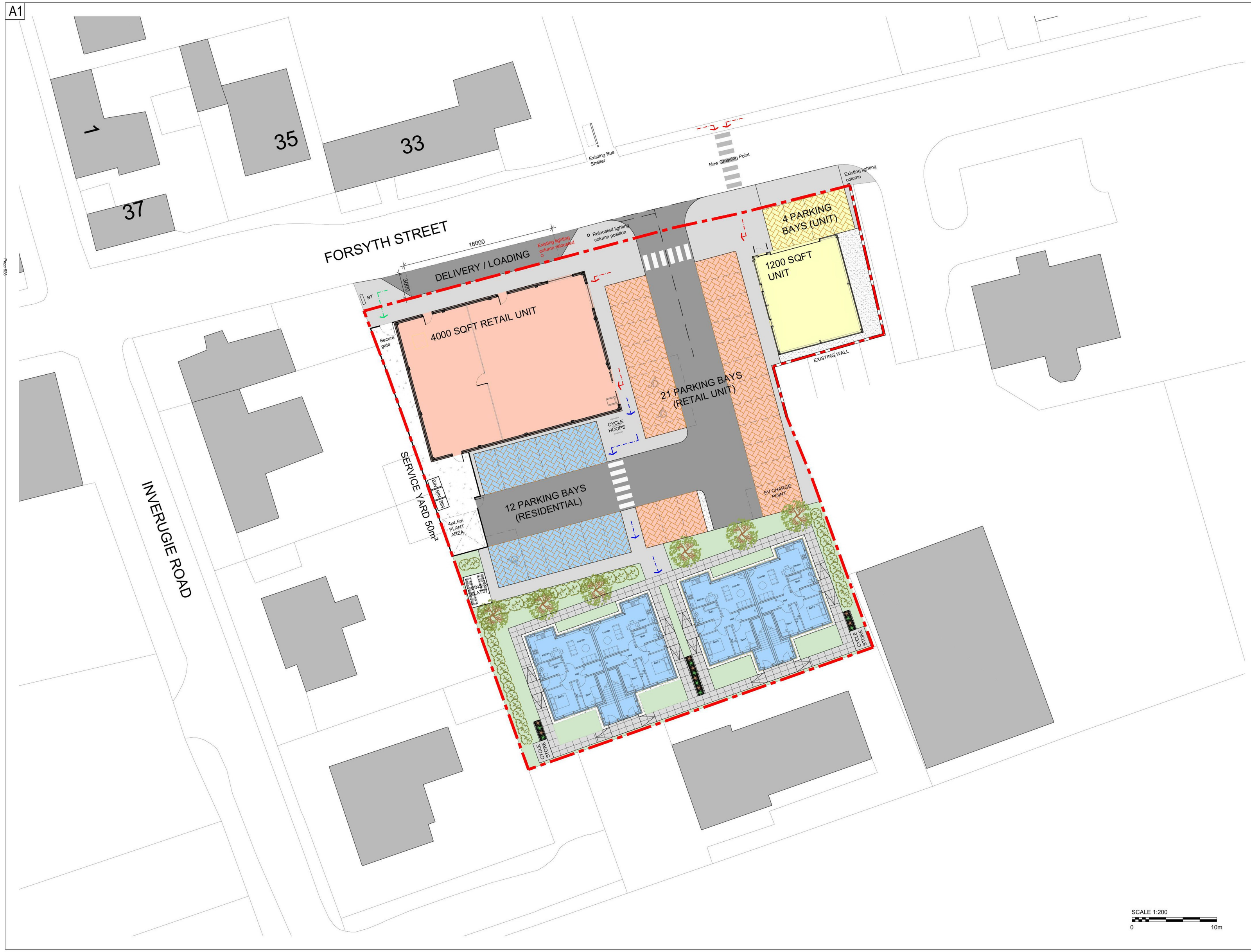

N

PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2693m² / 0.67 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOCK PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.
- PEDESTRIAN ACCESS TO RETAIL/ RESIDENTIAL.
- PEDESTRIAN ACCESS TO RESIDENTIAL ONLY.
- SERVICE YARD / DELIVERY ACCESS.

Rev.	Date	Remarks	By	Ch.
B	03.07.2020	Amendments to suit topo.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM

Drawing no.
L-003

Rev
B

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Notes:-

Visibility Splay 2.4m x 43m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

ECS Transport Planning Ltd
Centrum Offices
38 Queen Street
Glasgow
G1 3DX

ECS TRANSPORT PLANNING LIMITED

Telephone: 0844 443 0934
Email: info@ecstransport.co.uk

Client

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project

PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title

INDICATIVE ACCESS ARRANGEMENT

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
1:500	10.07.20

Project No.	Drawing No.	Rev
20044	20044_003	-

Purpose of Issue
- ☐ Preliminary
- ☐ For Tender
- ☐ For Construction
- ☐ _____
- ☑ For Information
- ☐ For Approval
- ☐ As Built

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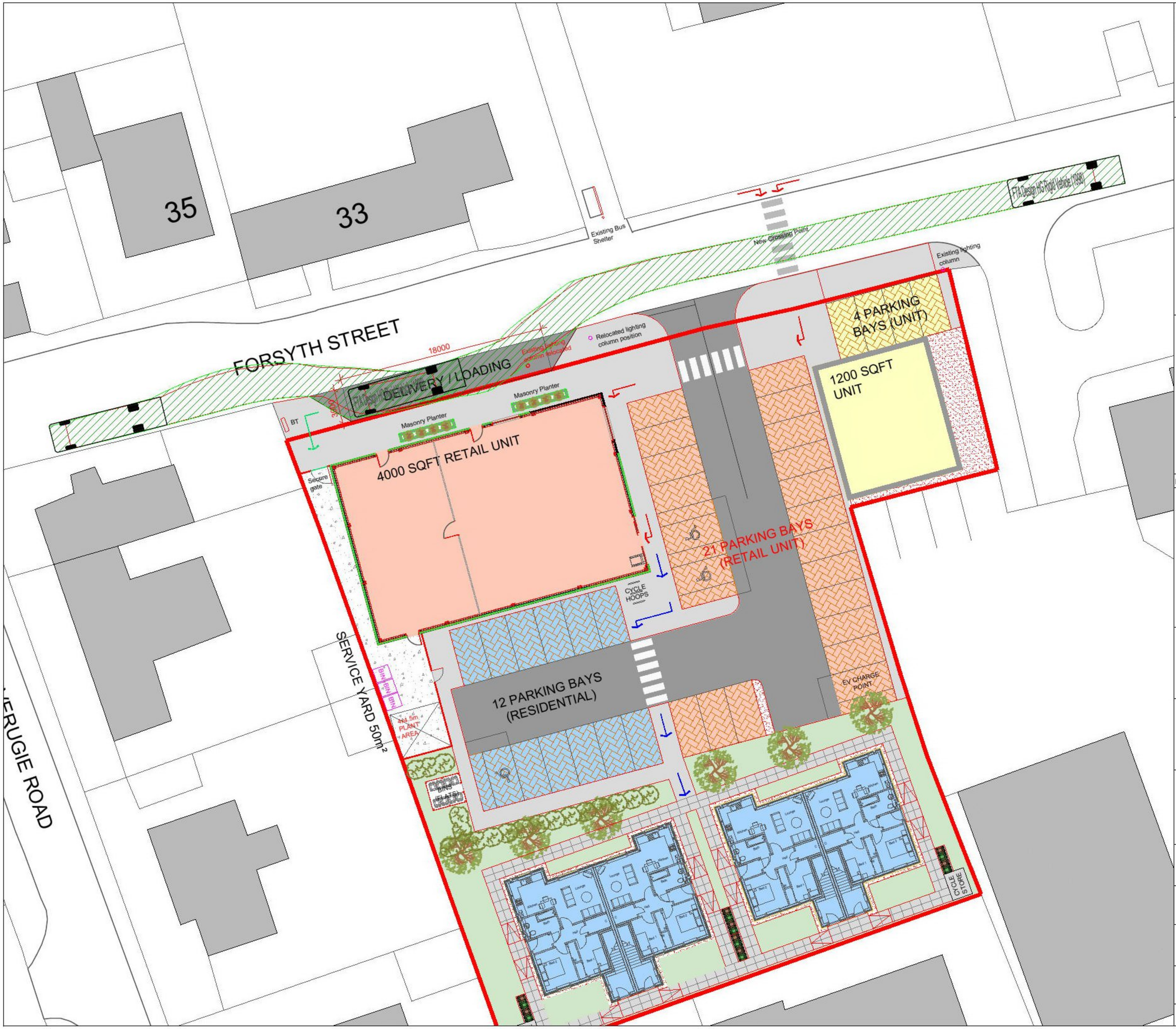
B. Vehicle Swept Paths



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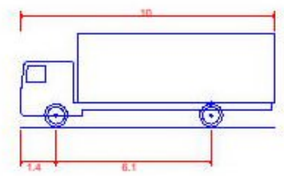

FTA Design HG Rigid Vehicle (1998)

Overall Length	10.000m
Overall Width	2.500m
Overall Body Height	3.645m
Min Body Ground Clearance	0.440m
Track Width	2.470m
Lock to lock time	3.00s
Kerb to Kerb Turning Radius	11.000m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

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G1 3DX

ECS TRANSPORT PLANNING LIMITED

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Client
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project
PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title
SERVICE VEHICLE SWEPT PATHS

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
N.T.S	10.07.20

Project No.	Drawing No.	Rev
20044	20044_002	-

Purpose of Issue
- [ ] Preliminary
- [ ] For Tender
- [ ] For Construction
- [ ] _____
- [x] For Information
- [ ] For Approval
- [ ] As Built

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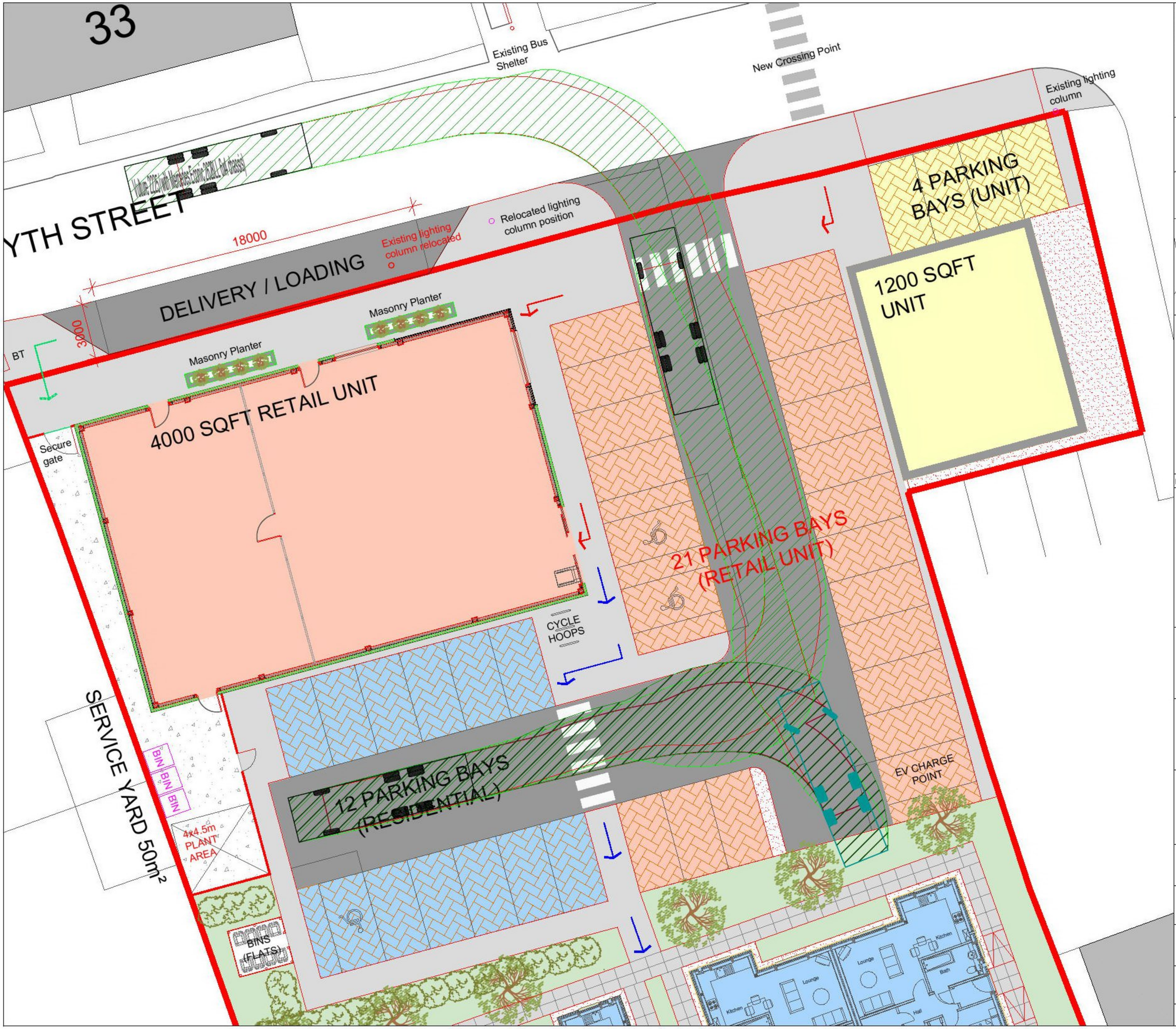

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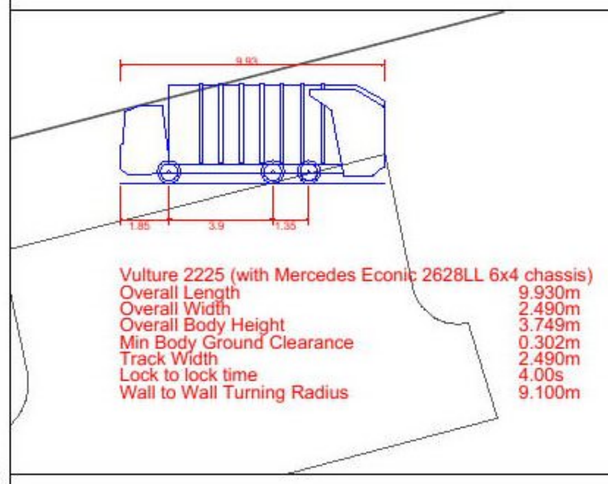

Vulture 2225 (with Mercedes Econic 2628LL 6x4 chassis)

Overall Length	9.930m
Overall Width	2.490m
Overall Body Height	3.749m
Min Body Ground Clearance	0.302m
Track Width	2.490m
Lock to lock time	4.00s
Wall to Wall Turning Radius	9.100m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

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Client
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project
PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title
REFUSE VEHICLE SWEPT PATHS

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
N.T.S	10.07.20

Project No.	Drawing No.	Rev
20044	20044_001	-

Purpose of Issue
- ☐ Preliminary
- ☐ For Tender
- ☐ For Construction
- ☐ _____
- ☑ For Information
- ☐ For Approval
- ☐ As Built

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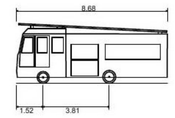
A1



DB32 Fire Appliance	
Overall Length	8.680m
Overall Width	2.180m
Overall Body Height	3.452m
Min Body Ground Clearance	0.337m
Max Track Width	2.121m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	7.910m

NOTES:

1. SITE MEASUREMENTS OR VEHICLE TRACKING SHOULD BE ASSESSED ON A LARGE SCALE ENGINEERING TOPOGRAPHICAL SURVEY OR ARCHITECTS PRECISION LAYOUTS TO VERIFY THAT ADEQUATE CLEARANCES CAN BE ACHIEVED.

LEGEND

- WHEEL TRACKED PATHWAY
- VEHICLE OUTLINE/ENVELOPE
- REVERSE TRAVEL
- WHEEL TRACKED PATHWAY
- VEHICLE OUTLINE/ENVELOPE
- ROAD KERBLINE
- VEHICLE OVER-RUN
- VEHICLE OVER-SAIL
- KERBLINE ADJUSTED

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PLANNING

Rev.	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
VEHICLE SWEPT PATH

Scale	Date	Drawn by	Checked by
1:250	08.07.20	PD	

Drawing no.
10045-C-401

Rev

C. Census / TRICS / Multi-Modal

C11

Scotland's Census 2011 - National Records of ScotlandTable QS702SC - Method of travel to work or study (1)All people aged 4 and over who are studying or aged 16 to 74 in employment in the week before the census
Datazone 2011 by Transport to place of work or study by Term-time Address (Indicator) and In education or employment
Counting: Person

Filters:
Default Summation Person
Term-time Address Resident
In education or emp In education or employment - Part time students

Transport to place of work or study	All people	Work or study mainly at or from	Underground, metro, light rail or	Train	Bus, minibus or coach	Taxi or minicab	Driving a car or van	Passenger in a car or van	Motorcycle, scooter or moped	Bicycle	On foot	Other
Datazone 2011												
S01011143	630	56	2	24	80	3	279	36	3	10	103	34
S01011144	518	52	0	19	70	6	237	46	2	8	69	9
(1) Excludes some 4 and 5 year olds (a total of 11,867 in Scotland) who were reported as being in full-time education but for whom no information on their place of study or method of travel to study was provided.												
	1148	108	2	43	150	9	516	82	5	18	172	43
	1040	9.41%	0.19%	4.13%	14.42%	0.87%	49.62%	7.88%	0.48%	1.73%	16.54%	4.13%

20044 Forsyth Street, Hopeman

Hopeman - All people aged 4 and over who are studying or aged 16 to 74 in employment in the week before the census

Total People	Works or studies mainly at or from home	Not currently working or studying	Underground, tube, metro or light rail	Train	Bus, minibus or coach	Taxi or minicab	Driving a car or van	Passenger in a car or van	Motorcycle, scooter or moped	Bicycle	On foot	Other	TOTAL
1148	108		2	43	150	9	516	82	5	18	172	43	1040
			0.19%	4.13%	14.42%	0.87%	49.62%	7.88%	0.48%	1.73%	16.54%	4.13%	100.00%

Residential Vehicle Trips Only

	IN	OUT	TOTAL
AM	2	4	6
PM	2	1	4

Residential People Trips Only

	IN	OUT	TOTAL
AM	3	8	11
PM	4	3	7

		Underground	Train	Bus	Taxi	Car Driver	Passenger	M/cycle	Bicycle	Foot	Other	Total
AM	IN	0	0	0	0	2	0	0	0	1	0	**3**
	OUT	0	0	1	0	4	1	0	0	1	0	**8**
	TOTAL	**0**	**0**	**2**	**0**	**6**	**1**	**0**	**0**	**2**	**0**	**11**
PM	IN	0	0	1	0	2	0	0	0	1	0	**4**
	OUT	0	0	0	0	1	0	0	0	0	0	**3**
	TOTAL	**0**	**0**	**1**	**0**	**4**	**1**	**0**	**0**	**1**	**0**	**7**

Calculation Reference: AJDT-654801-200709-0719

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 03 - RESIDENTIAL
Category : A - HOUSES PRIVATELY OWNED

VEHICLES

Selected regions and areas:

04	EAST ANGLIA		
	SF	SUFFOLK	1 days
05	EAST MIDLANDS		
	LN	LINCOLNSHIRE	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE		
	NY	NORTH YORKSHIRE	1 days
08	NORTH WEST		
	CH	CHESHIRE	2 days
11	SCOTLAND		
	AG	ANGUS	1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Primary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation

Parameter: No of Dwellings
Actual Range 7 to 24 (units:)
Range Selected by User 5 to 25 (units:)

Parking Spaces Range: All Surveys Included

Parking Spaces per Dwelling Range All Surveys Included

Bedrooms per Dwelling Range All Surveys Included

Percentage of dwellings privately owned All Surveys Included

Public Transport Provision
Selection by Included surveys

Date Range 01/01/12 to 25/09/19

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation

Selected survey days:

Tuesday	4 days
Wednesday	1 days
Thursday	1 days

This data displays the number of selected surveys by day of the week

Selected survey types:

Manual count	6 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaking using machines.

Selected Locations:

Suburban Area (PPS6 Out of Centre)	6

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories.

Residential Zone	6

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

C3	6 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Population within 1 mile:

5,001 to 10,000	1 days
10,001 to 15,000	1 days
15,001 to 20,000	3 days
20,001 to 25,000	1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

25,001 to 50,000	1 days
50,001 to 75,000	2 days
75,001 to 100,000	2 days
100,001 to 125,000	1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	3 days
1.1 to 1.5	3 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

Yes	1 days
No	5 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present	6 days

This data displays the number of selected surveys with PTAL Ratings.

LIST OF SITES relevant to selection parameters

1 AG-03-A-01 BUNGALOWS/DET. ANGUS
KERTIE ROAD
ARBROATH

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 7
Survey date: TUESDAY 22/05/12 Survey Type: MANUAL

2 CH-03-A-08 DETACHED CHESHIRE
WHITCHURCH ROAD
CHESTER
BOUGHTON HEATH
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 11
Survey date: TUESDAY 22/05/12 Survey Type: MANUAL

3 CH-03-A-11 TOWN HOUSES CHESHIRE
LONDON ROAD
NORTHWICH
LEFTWICH
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 24
Survey date: THURSDAY 06/06/19 Survey Type: MANUAL

4 LN-03-A-03 SEMI DETACHED LINCOLNSHIRE
ROCKERY LANE
LINCOLN
BOULTHAM
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 22
Survey date: TUESDAY 18/09/12 Survey Type: MANUAL

5 NY-03-A-13 TERRACED HOUSES NORTH YORKSHIRE
CATTERICK ROAD
CATTERICK GARRISON
OLD HOSPITAL COMPOUND
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 10
Survey date: WEDNESDAY 10/05/17 Survey Type: MANUAL

6 SF-03-A-04 DETACHED & BUNGALOWS SUFFOLK
NORVENSTON DRIVE
LOWESTOFT

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 7
Survey date: TUESDAY 23/10/12 Survey Type: MANUAL

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED

VEHICLES

Calculation factor: 1 DWELLS

BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	6	14	0.074	6	14	0.395	6	14	0.469
08:00 - 09:00	6	14	0.210	**6**	**14**	**0.481**	**6**	**14**	**0.691**
09:00 - 10:00	6	14	0.198	6	14	0.222	6	14	0.420
10:00 - 11:00	6	14	0.123	6	14	0.123	6	14	0.246
11:00 - 12:00	6	14	0.136	6	14	0.123	6	14	0.259
12:00 - 13:00	6	14	0.185	6	14	0.160	6	14	0.345
13:00 - 14:00	6	14	0.148	6	14	0.210	6	14	0.358
14:00 - 15:00	6	14	0.198	6	14	0.247	6	14	0.445
15:00 - 16:00	6	14	0.222	6	14	0.173	6	14	0.395
16:00 - 17:00	**6**	**14**	**0.259**	6	14	0.185	6	14	0.444
17:00 - 18:00	6	14	0.259	6	14	0.136	6	14	0.395
18:00 - 19:00	6	14	0.148	6	14	0.074	6	14	0.222
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			2.160			2.529			4.689

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

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Parameter summary

Trip rate parameter range selected:	7 - 24 (units:)
Survey date date range:	01/01/12 - 25/09/19
Number of weekdays (Monday-Friday):	6
Number of Saturdays:	0
Number of Sundays:	0
Surveys automatically removed from selection:	0
Surveys manually removed from selection:	0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

Calculation Reference: AJDT-654801-200709-0735

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 01 - RETAIL
Category : O - CONVENIENCE STORE
MULTI-MODAL VEHICLES

Selected regions and areas:

03	SOUTH WEST	
	WL WILTSHIRE	1 days
04	EAST ANGLIA	
	NF NORFOLK	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE	
	NY NORTH YORKSHIRE	1 days
	SY SOUTH YORKSHIRE	1 days
	WY WEST YORKSHIRE	1 days
09	NORTH	
	DH DURHAM	1 days
	TW TYNE & WEAR	1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Primary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation

Parameter: Gross floor area
Actual Range 292 to 539 (units: sqm)
Range Selected by User 70 to 1500 (units: sqm)

Parking Spaces Range: All Surveys Included

Public Transport Provision:
Selection by Included Surveys

Date Range 01/01/12 to 07/04/17

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation

Selected survey days:

Monday	3 days
Friday	4 days

This data displays the number of selected surveys by day of the week

Selected survey types:

Manual count	7 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaking using machines.

Selected Locations:

Suburban Area (PPS6 Out of Centre)	5
Neighbourhood Centre (PPS6 Local Centre)	2

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Residential Zone	6
High Street	1

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

B1	7 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Population within 1 mile:

5,001 to 10,000	2 days
10,001 to 15,000	2 days
15,001 to 20,000	2 days
25,001 to 50,000	1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

5,001 to 25,000	1 days
25,001 to 50,000	1 days
100,001 to 125,000	1 days
125,001 to 250,000	4 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	4 days
1.1 to 1.5	3 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Petrol filling station:

Included in the survey count	0 days
Excluded from count or no filling station	7 days

This data displays the number of surveys within the selected set that include petrol filling station activity, and the number of surveys that do not

Travel Plan:

No	7 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans

PTAL Rating:

No PTAL Present	7 days

This data displays the number of selected surveys with PTAL Ratings

LIST OF SITES relevant to selection parameters

1 DH-01-O-01 SAINSBURY'S LOCAL DURHAM
132 STATION LANE
HARTLEPOOL
SEATON CAREW
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 469 sqm
Survey date: MONDAY 26/11/12 Survey Type: MANUAL

2 NF-01-O-01 TESCO EXPRESS NORFOLK
DEREHAM ROAD
NORWICH

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 298 sqm
Survey date: FRIDAY 26/10/12 Survey Type: MANUAL

3 NY-01-O-03 CO-OPERATIVE NORTH YORKSHIRE
FOREST ROAD
NORTHALLERTON

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 305 sqm
Survey date: MONDAY 19/09/16 Survey Type: MANUAL

4 SY-01-O-02 SAINSBURY'S LOCAL SOUTH YORKSHIRE
ECCLESALL ROAD
SHEFFIELD

Neighbourhood Centre (PPS6 Local Centre)
High Street
Total Gross floor area: 306 sqm
Survey date: FRIDAY 14/12/12 Survey Type: MANUAL

5 TW-01-O-02 CO-OPERATIVE TYNE & WEAR
ETHEL TERRACE
SUNDERLAND
CASTLETOWN
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 330 sqm
Survey date: FRIDAY 07/04/17 Survey Type: MANUAL

6 WL-01-O-01 ONE STOP WILTSHIRE
THE CIRCLE
SWINDON

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 292 sqm
Survey date: FRIDAY 23/09/16 Survey Type: MANUAL

7 WY-01-O-02 CO-OPERATIVE WEST YORKSHIRE
AINSTY ROAD
WETHERBY

Neighbourhood Centre (PPS6 Local Centre)
Residential Zone
Total Gross floor area: 539 sqm
Survey date: MONDAY 26/09/16 Survey Type: MANUAL

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE

MULTI-MODAL VEHICLES

Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	4.203	3	381	4.028	3	381	8.231
07:00 - 08:00	7	363	7.759	7	363	7.247	7	363	15.006
08:00 - 09:00	7	363	8.665	7	363	8.350	7	363	17.015
09:00 - 10:00	7	363	6.341	7	363	5.711	7	363	12.052
10:00 - 11:00	7	363	6.144	7	363	6.065	7	363	12.209
11:00 - 12:00	7	363	5.317	7	363	5.553	7	363	10.870
12:00 - 13:00	7	363	7.995	7	363	7.404	7	363	15.399
13:00 - 14:00	7	363	5.790	7	363	5.632	7	363	11.422
14:00 - 15:00	7	363	6.735	7	363	6.617	7	363	13.352
15:00 - 16:00	7	363	7.562	7	363	7.838	7	363	15.400
16:00 - 17:00	7	363	9.059	7	363	8.074	7	363	17.133
17:00 - 18:00	7	363	10.240	7	363	9.413	7	363	19.653
18:00 - 19:00	**7**	**363**	**11.422**	**7**	**363**	**11.934**	**7**	**363**	**23.356**
19:00 - 20:00	7	363	8.153	7	363	9.137	7	363	17.290
20:00 - 21:00	6	375	3.738	6	375	5.296	6	375	9.034
21:00 - 22:00	6	375	2.804	6	375	3.249	6	375	6.053
22:00 - 23:00	1	469	1.919	1	469	2.559	1	469	4.478
23:00 - 24:00									
Total Rates:			113.846			114.107			227.953

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

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Parameter summary

Trip rate parameter range selected:	292 - 339 (units: sqm)
Survey date date range:	01/01/12 - 07/04/17
Number of weekdays (Monday-Friday):	7
Number of Saturdays:	0
Number of Sundays:	0
Surveys automatically removed from selection:	0
Surveys manually removed from selection:	0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE

MULTI-MODAL CYCLISTS

Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	0.438	3	381	0.350	3	381	0.788
07:00 - 08:00	7	363	0.433	7	363	0.394	7	363	0.827
08:00 - 09:00	7	363	0.315	7	363	0.315	7	363	0.630
09:00 - 10:00	7	363	0.197	7	363	0.158	7	363	0.355
10:00 - 11:00	7	363	0.118	7	363	0.079	7	363	0.197
11:00 - 12:00	7	363	0.158	7	363	0.158	7	363	0.316
12:00 - 13:00	7	363	0.315	7	363	0.276	7	363	0.591
13:00 - 14:00	7	363	0.118	7	363	0.197	7	363	0.315
14:00 - 15:00	7	363	0.315	7	363	0.315	7	363	0.630
15:00 - 16:00	7	363	0.433	7	363	0.473	7	363	0.906
16:00 - 17:00	**7**	**363**	**0.709**	7	363	0.512	7	363	1.221
17:00 - 18:00	7	363	0.630	**7**	**363**	**0.630**	7	363	1.260
18:00 - 19:00	7	363	0.709	7	363	0.591	**7**	**363**	**1.300**
19:00 - 20:00	7	363	0.433	7	363	0.354	7	363	0.787
20:00 - 21:00	6	375	0.089	6	375	0.267	6	375	0.356
21:00 - 22:00	6	375	0.134	6	375	0.134	6	375	0.268
22:00 - 23:00	1	469	0.000	1	469	0.000	1	469	0.000
23:00 - 24:00									
Total Rates:			5.544			5.203			10.747

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE

MULTI-MODAL PEDESTRIANS

Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	3.415	3	381	3.327	3	381	6.742
07:00 - 08:00	7	363	7.168	7	363	6.144	7	363	13.312
08:00 - 09:00	7	363	9.492	7	363	8.862	7	363	18.354
09:00 - 10:00	7	363	7.680	7	363	6.656	7	363	14.336
10:00 - 11:00	7	363	7.168	7	363	6.932	7	363	14.100
11:00 - 12:00	7	363	7.917	7	363	7.562	7	363	15.479
12:00 - 13:00	7	363	8.232	7	363	7.956	7	363	16.188
13:00 - 14:00	7	363	9.137	7	363	9.571	7	363	18.708
14:00 - 15:00	7	363	8.822	7	363	9.098	7	363	17.920
15:00 - 16:00	**7**	**363**	**12.288**	7	363	11.579	**7**	**363**	**23.867**
16:00 - 17:00	7	363	9.965	7	363	10.358	7	363	20.323
17:00 - 18:00	7	363	10.752	7	363	10.595	7	363	21.347
18:00 - 19:00	7	363	11.737	**7**	**363**	**11.776**	7	363	23.513
19:00 - 20:00	7	363	10.004	7	363	11.461	7	363	21.465
20:00 - 21:00	6	375	7.299	6	375	7.655	6	375	14.954
21:00 - 22:00	6	375	6.231	6	375	7.076	6	375	13.307
22:00 - 23:00	1	469	0.000	1	469	0.000	1	469	0.000
23:00 - 24:00									
Total Rates:			137.307			136.608			273.915

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE

MULTI-MODAL PUBLIC TRANSPORT USERS

Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	0.000	3	381	0.000	3	381	0.000
07:00 - 08:00	7	363	0.197	7	363	0.079	7	363	0.276
08:00 - 09:00	7	363	0.394	7	363	0.354	7	363	0.748
09:00 - 10:00	7	363	0.315	7	363	0.236	7	363	0.551
10:00 - 11:00	7	363	0.630	7	363	0.670	7	363	1.300
11:00 - 12:00	7	363	0.354	7	363	0.315	7	363	0.669
12:00 - 13:00	7	363	0.315	7	363	0.551	7	363	0.866
13:00 - 14:00	7	363	0.236	7	363	0.197	7	363	0.433
14:00 - 15:00	7	363	0.591	7	363	0.433	7	363	1.024
15:00 - 16:00	7	363	0.315	7	363	0.315	7	363	0.630
16:00 - 17:00	7	363	0.236	7	363	0.158	7	363	0.394
17:00 - 18:00	**7**	**363**	**1.260**	**7**	**363**	**1.339**	**7**	**363**	**2.599**
18:00 - 19:00	7	363	0.709	7	363	0.591	7	363	1.300
19:00 - 20:00	7	363	0.158	7	363	0.197	7	363	0.355
20:00 - 21:00	6	375	0.089	6	375	0.089	6	375	0.178
21:00 - 22:00	6	375	0.045	6	375	0.045	6	375	0.090
22:00 - 23:00	1	469	0.000	1	469	0.000	1	469	0.000
23:00 - 24:00									
Total Rates:			5.844			5.569			11.413

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE

MULTI-MODAL TOTAL PEOPLE

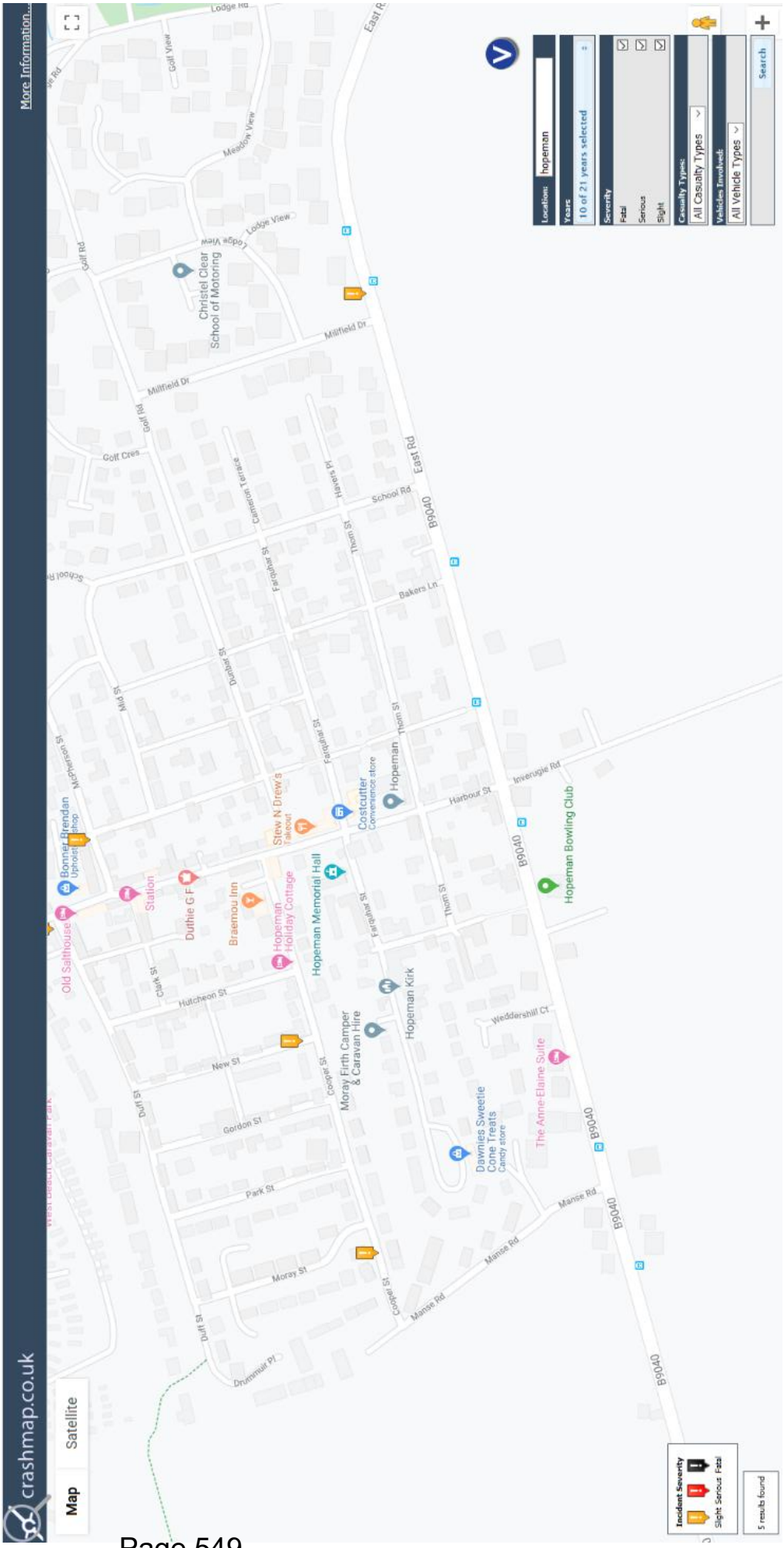
Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	8.406	3	381	7.968	3	381	16.374
07:00 - 08:00	7	363	16.857	7	363	15.163	7	363	32.020
08:00 - 09:00	7	363	20.520	7	363	19.575	7	363	40.095
09:00 - 10:00	7	363	15.794	7	363	13.864	7	363	29.658
10:00 - 11:00	7	363	14.927	7	363	14.376	7	363	29.303
11:00 - 12:00	7	363	14.691	7	363	14.533	7	363	29.224
12:00 - 13:00	7	363	17.881	7	363	17.093	7	363	34.974
13:00 - 14:00	7	363	16.266	7	363	16.660	7	363	32.926
14:00 - 15:00	7	363	17.290	7	363	17.290	7	363	34.580
15:00 - 16:00	7	363	22.450	7	363	22.135	7	363	44.585
16:00 - 17:00	7	363	22.686	7	363	21.583	7	363	44.269
17:00 - 18:00	7	363	25.167	7	363	24.262	7	363	49.429
18:00 - 19:00	**7**	**363**	**28.082**	**7**	**363**	**28.279**	**7**	**363**	**56.361**
19:00 - 20:00	7	363	20.835	7	363	23.119	7	363	43.954
20:00 - 21:00	6	375	12.639	6	375	14.953	6	375	27.592
21:00 - 22:00	6	375	10.191	6	375	11.660	6	375	21.851
22:00 - 23:00	1	469	2.772	1	469	3.625	1	469	6.397
23:00 - 24:00									
Total Rates:			287.454			286.138			573.592

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*


crashmap.co.uk
Map
Satellite
More Information...
Location: hopeman
Years
10 of 21 years selected
Severity
Fatal
Serious
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Casualty Types:
All Casualty Types
Vehicles Involved:
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Incident Severity
Slight Serious Fatal
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Christel Clear School of Motoring
Bonner Brendan
Station
Duthie G F
Braemou Inn
Hopeman Holiday Cottage
Hopeman Memorial Hall
Stew N Drew's
Costcutter
Hopeman
Hopeman Bowling Club
Old Salthouse
Hopeman Kirk
Moray Firth Camper & Caravan Hire
Dawnies Sweetie Cone Treats
The Anne-Elaine Suite
B9040
East Rd
Millfield Dr
Golf Rd
Golf Cres
School Rd
Bakers Ln
Harbour St
Inverugie Rd
Hutcheon St
New St
Gordon St
Park St
Moray St
Manse Rd
Weddershill Ct
Drummuir Pl
Duff St
Cooper St
Clark St
Farquhar St
Thom St
Dunbar St
Mid St
McPherson St
Meadow View
Lodge View
Golf View
Lodge Rd

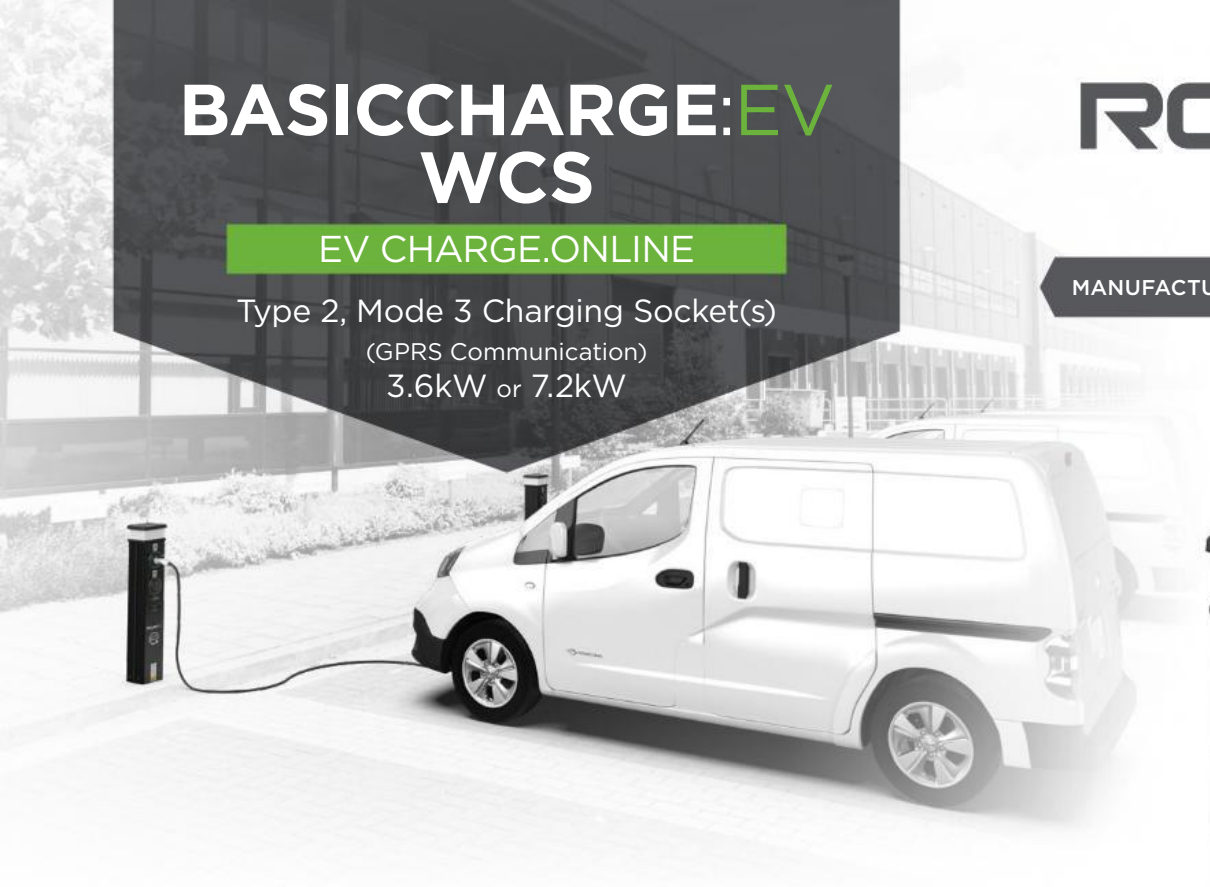
BASICCHARGE:EV WCS

EV CHARGE.ONLINE

Type 2, Mode 3 Charging Socket(s)
(GPRS Communication)
3.6kW or 7.2kW

ROLEC EV Charging

MANUFACTURED IN THE UK



Unit shown: BASICCHARGE:EV
EV CHARGE.ONLINE
2way Socket (Type 2) Charging Pedestal

The BASICCHARGE:EV CHARGE.ONLINE pedestal replicates Rolec's world-leading Classic utility pedestal, which provides a simple and effortless EV charging experience for all users.

This versatile, future-proof pedestal allows free-to-use charging and/or a simple pay-to-charge solution via the EV driver's smartphone.

Available in either 1way or 2way versions, providing Mode 3 fast charging in 3.6kW or 7.2kW speeds, this unit features a GPRS antenna communication connection.

PRODUCT FEATURES

- Mode 3 (IEC 61851-1) fast charging
- Available in 1way / 2way & 3.6kW (16A) / 7.2kW (32A) versions
- Type 2 (IEC 62196) charging socket(s) c/w security hatchlock(s)
- Photocell controlled LED amenity lighting head
- Surface or root mountable
- Built-in AC overload and fault current protection
- Built-in DC sensitive protection
- Built-in LED charging status indicator socket halo(s)
- Built-in class 1 **MID** compliant kWh meter(s)
- EV driver Pay-to-Charge smartphone integration
- OLEV Grant Fundable under the Workplace Charging Scheme
- Easy to install & maintain
- IP rated
- UV stabilised
- Corrosion resistant

EV CHARGE.ONLINE **PAY-TO-CHARGE** PAYMENT PARTNERS/ASSOCIATES

worldpay VISA mastercard

See the EV CHARGE.ONLINE Overview for details

GPRS Connectivity

WCS OLEV Grant Fundable

EV Driver Multi-Device Access

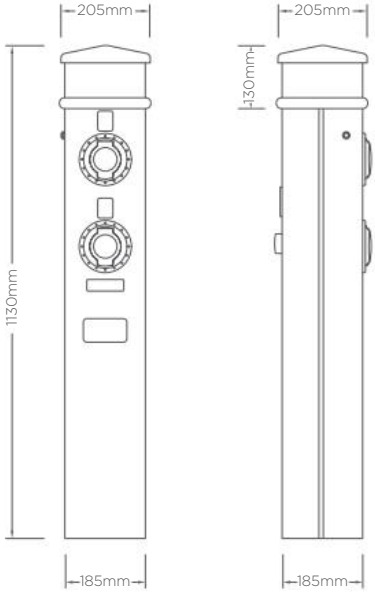
Branding & Colour Options Available

LED Amenity Lighting

IP Rated & UV Stabilised

SPECIFICATIONS

Product Code	EVGM0210	EVGM0211	EVGM0220	EVGM0221
Charging Socket(s)	1x Type 2 (IEC 62196)		2x Type 2 (IEC 62196)	
Rated Output	3.6kW	7.2kW	3.6kW	7.2kW
Rated Current	16A	32A	16A	32A
Charge Protocol	Mode 3			
Input Voltage	230V AC/50Hz (Single Phase)			
AC Overload Protection	1x 20A	1x 40A	2x 20A	2x 40A
AC Fault Protection	30mA			
DC Fault Protection	6mA			
Cable Terminals	3 x 35mm			
Communications	GPRS (Recommended signal strength of 14 CSQ or above)			
Standby Consumption	Approx 0.3kW per day			
Certifications & Compliances	EV Charging Compliance – EN 61851-1:2001, EN 61851-21:2002, EN 61851-22:2002 Wiring Regulations – BS 7671 EMC Compliance – EN 61000-6-3:2007, EN 61000-6-2:2005 Safety Compliance (LVD) – 2014/35/EU Environmental Protection – Enclosure IP65, Socket IP54 (BS EN 60529:1992+A2:2013)			
Dimensions	205mm x 1130mm x 205mm (W x H x D)			
Pedestal Material	High impact resistant aluminium composite outer shell			
Internal Chassis	Heavy duty, hot dipped galvanised steel			
Operating Temperature	-30°C to +50°C			
Standard Body Colour	Black (Other colours available upon request)			



EV CHARGE.ONLINE

- Built-in modem and GPRS signal antenna
- Built-in roaming Sim card connects directly to the strongest signal
- Smart charging control via the EV Charge.Online mobile app*
- EV Charge.Online Back Office management system*

EV CHARGE.ONLINE **PAY-TO-CHARGE** PARTNERS/ASSOCIATES

worldpay VISA mastercard

OPTIONS & ACCESSORIES

- Load Manager system (electrical distribution management)
- Corporate branding (colours, logo badge, etc.)
- Galvanised steel ground mounting base
- Protection barriers
- Charge point signage
- EV charging cables (Type 1 to Type 2 or Type 2 to Type 2)

*Full App functionality dependent on chosen data management plan, please refer to the EVCharge.Online Overview Sheet for more information

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EVBCCOGD-WCS-04

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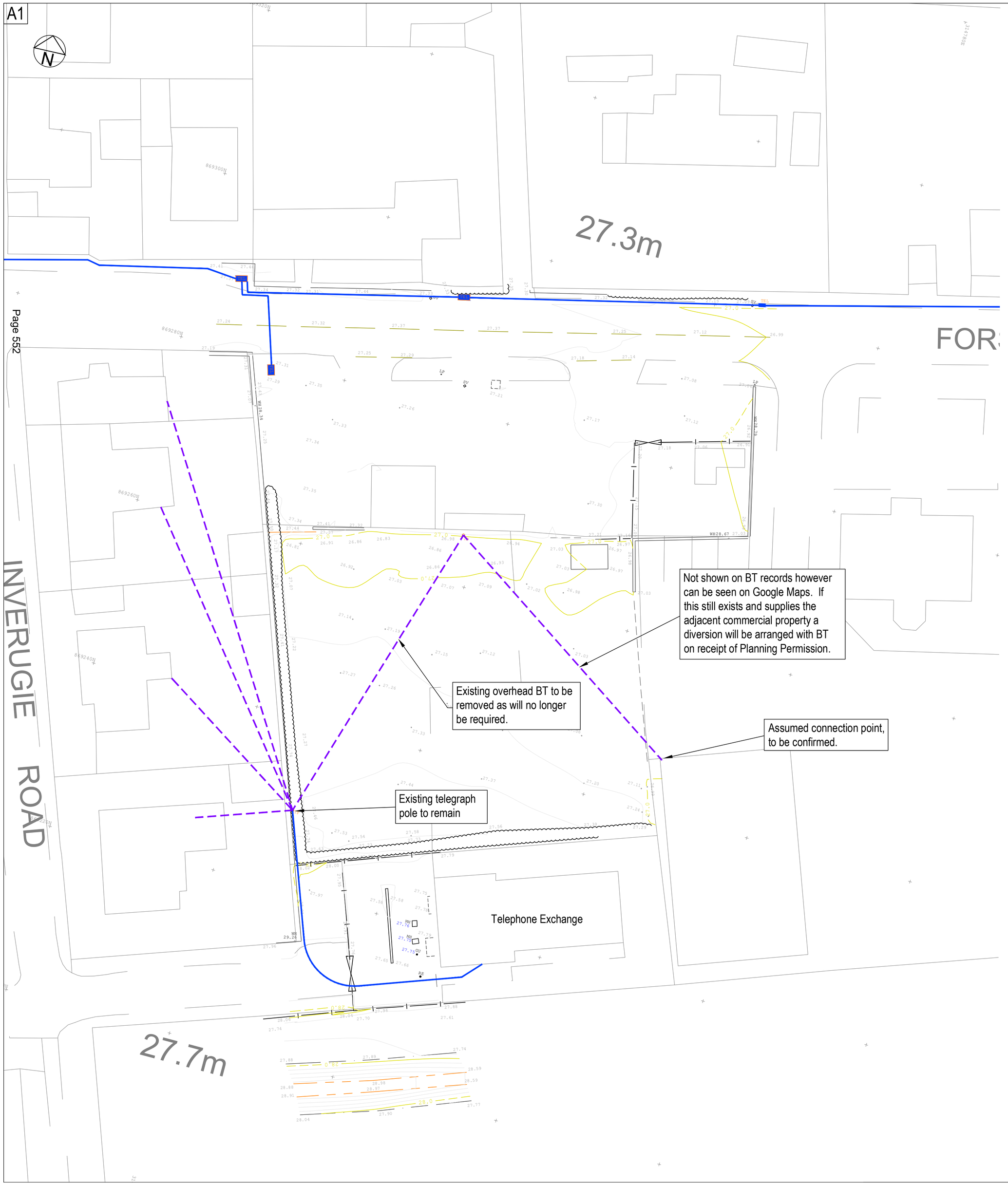
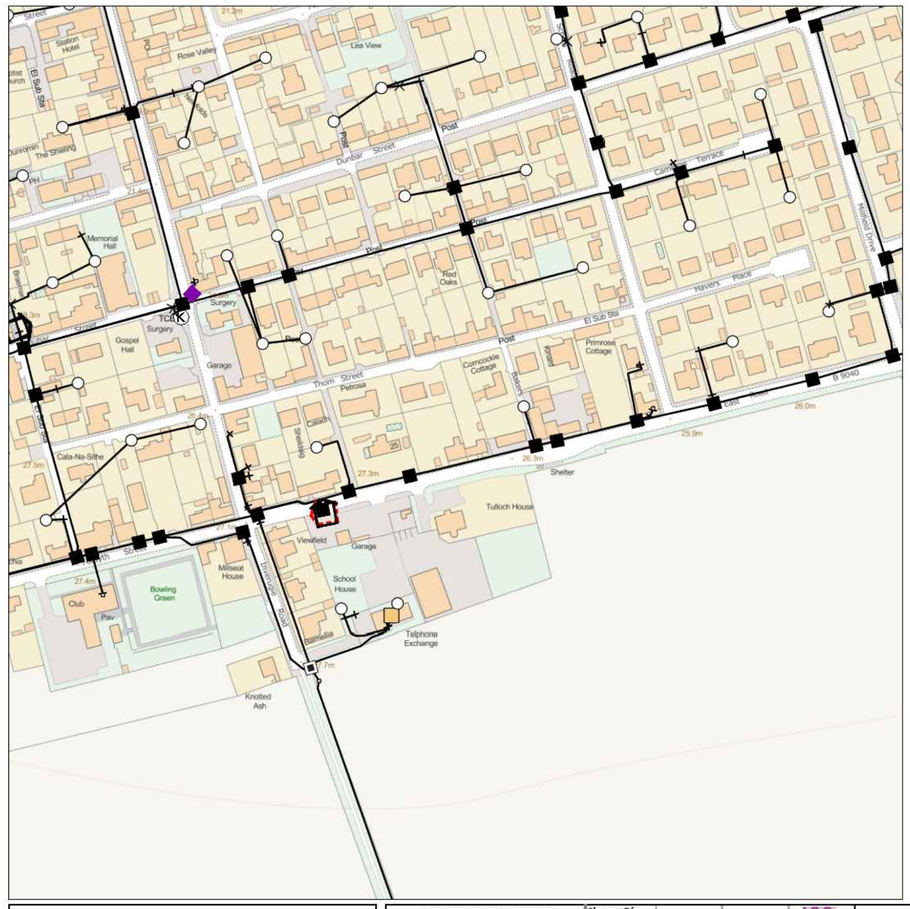
A1



Legend

- Existing Overhead BT
- Existing Underground BT
- Existing BT Junction Box

Maps by email Plant Information Reply



IMPORTANT WARNING

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy.
It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.

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KEY TO BT SYMBOLS

	Planned	Live				
			Change Of State	+	Hatchings	
			Split Coupling	×	Built	
PCP			Duct Tee	▲	Planned	
Pole			Building		Inferred	
Box			Kiosk	K	Duct	
Manhole						
Cabinet						

Other proposed plant is shown using dashed lines. BT Symbols not listed above may be disregarded. Existing BT Plant may not be recorded. Information valid at time of preparation. Maps are only valid for 90 days after the date of publication.

	Pending Add	In Place	Pending Remove	Not In Use
Power Cable				
Power Duct				N/A

BT Ref : SYX10185Z
Map Reference : (centre) NJ1479369316
Easting/Northing : (centre) 314793,869316
Issued : 24/09/2018 10:18:54

WARNING: IF PLANNED WORKS FALL INSIDE HATCHED AREA IT IS ESSENTIAL BEFORE PROCEEDING THAT YOU CONTACT THE NATIONAL NOTICE HANDLING CENTRE. PLEASE SEND E-MAIL TO: nnhc@openreach.co.uk

Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "DO NOT SCALE". The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent.

PLANNING

Rev.	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
EXISTING BT APPARATUS

Scale	Date	Drawn by	Checked by
1:250	20.08.20	PD	

Drawing no.
10045-C-501

Rev

Response to Transportation Comments
Date Comments Received: 11th August 2020
Planning Ref: 20/00474/APP

This Response has been prepared in response to the comments received from Moray Council in regards to the above application for proposed retail, residential and light industrial on land located of Forsyth Street Hopeman. Comments received are in black, responses are noted in Green.

1.0 Parking

1.1 Food Retail Unit (371 sqm) = 6 per 100sqm = 22 Standard spaces (of which 2 Rapid EV charging spaces required), 2 PTW Spaces, 3 Disabled Spaces, 3 cycle spaces.
The actual available retail space is 232sqm (BoH = 139sqm). In reference to the current available parking standards legislation set by Moray Council, Appendix 2 notes "a **maximum** of 6spaces/100m2 of GFA" it does not differentiate between standard or disabled bays. Our current proposals are calculated at 5.66/100m2 of GFA. As a precedent, the approved planning application for a Co-op store in Lhandbryde, (15/02252/APP) was approved on the basis 190sqm (retail space) 94sqm (BoH) = Total 17 spaces which was inclusive of disabled bays.

Please refer to the updated site plan (Revision E) which includes 22 Bays for retail inclusive of 2no PTW spaces, 2 disabled (1 highlighted as residential but can be changed) and 3 Cycle spaces. We also note there were no EV charge points installed at this location, it is therefore difficult to understand why 2 are required on what is considered a small development (not major).

In addition to the above, please refer to the Transport Statement (Section 2.16) which notes:

"However, given that some of the residential parking will be vacant during key retail demand periods, it is not considered necessary to apply the full food retail parking requirement to the site given the potential for shared use.

Co-op who are the likely tenant of the proposed unit, are comfortable that the proposed provision is sufficient to accommodate demand based on knowledge of operations at similar sized stores in areas with compatible characteristics. Given the remote location of the store, the proposed unit includes a larger storage area than would be standard, as such applying the full parking ratio to this area is onerous.

It is also hoped that consideration will be given to the improved pedestrian and cycle routes carefully designed to promote green travel. Close proximity to the adjacent bus stop and the fact the site is located on a main bus route through Hopeman should also be considered. As each application is assessed individually we trust through the above response and any subsequent discussions provide a suitable outcome on the required level of parking.

1.2 Light Industrial Unit (111 sqm) = 4 per 100sqm = 4 spaces.
Correct No as per site plan.

1.3 8no 2 Bed Flats =3 per flat (+1 per 4 flats for visitor parking) = 16 standard spaces and 2 visitor spaces (EV provision required for a minimum of 1 space per flat), 1 secure cycle store per flat.
Correct No as per updated site plan. 16 + 2 visitor

1.4 No details for the proposed siting of EV charging points and cable access have been submitted. Details required.

We have undertaken several surveys for the site at significant expense, in order to provide a fully detailed design strategy for EV charge points, we would require input from a suitably qualified engineer. This is unreasonable to expect the client to incur such expense without securing planning. There is no reason why this could not be conditioned.

Whilst we can provide a generic brochure (attached on email response to Lisa McDonald 31/08), this is not necessarily what will be installed and is dependent on changing legislation, grant availability and other external factors. As with all developments, the feed for the EV charge points would be as per the Scottish Energy Trust Scotland guidelines – whereby the Landlord would pay for the energy supply for a min of 12 months. Charge posts will be located centrally at the front of the spaces, and these will most likely be fed from a meter within the communal stairs within the residential elements, however as noted above, routes would be agreed at detailed design to offer a cost effective solution.

1.5 Swept paths for key (difficult) parking spaces have not been provided.

All parking spaces and courts have been designed to the required guidelines. However please indicate exactly which spaces this is required for to enable us to further assess. Visibility splays from the junction have been demonstrated, and spaces set back adequately from the proposed junction. Please refer to Appendix A of the transport statement.

2.0 Deliveries/ Servicing

2.1 Commercial/Retail development should provide all loading and other servicing to be carried out on site. Frontage layby servicing should only be considered acceptable where there is no other viable alternative. This site is of an adequate size to accommodate dedicated servicing for the retail unit within the site.

As indicated within the supporting Transport Statement, the Co-Op store will only require one large vehicle delivery per day which will be parked within the lay-by for a maximum of 30mins on average. In addition there will be 4 short stay deliveries from small vehicles of under 10 minutes duration. Accommodating the service vehicle within the site would require a larger turning facility and internal loading area as a minimum which will have a detrimental impact on the site layout and development potential. Forsyth Street has on-street parking along the full length which limits visibility at junctions and there has been no issue with accidents (see attached accident data).

Compromising the development potential of a site for a vehicle movement which occurs once a day would not be consistent with good land use planning principles and would result in a layout being dictated by a low frequency large vehicle movement which is not consistent with the principles of Designing Streets.

Convenience stores are often served by lay-by arrangement or direct street front loading bays which are consistent with the proposals at Hopeman. Indeed, the Co-Op store at St Andrew's Road, Lhanbryde has a very similar arrangement with a lay-by on the store frontage which is within the car park access visibility splay and was supported by MC. The co-op would be more than happy to ensure the layby is fully utilised by others and would be happy for this to be conditioned as was the case at the Lhanbryde store. Furthermore, the Lhanbryde example also has a bus stop on the opposite side from the store which would again be within the visibility splay.

There are numerous examples of service lay-by's and loading bays at convenience stores throughout Scotland which result in a temporary reduction in visibility splay at access junctions which are considered acceptable given the temporary nature of the restriction. Indeed, many of the existing junctions on Forsyth Street experience a similar restriction to visibility given the lack of controlled on-street parking along the route and it should be noted that there are no recognised accident concerns based on current data.

The applicant is prepared to promote a Traffic Regulation Order to ensure that the lay-by is used for loading only. Furthermore, the applicant and convenience store operator would be agreeable to a planning condition requiring a delivery management strategy to be submitted and approved by MC to ensure that delivery times are out with busy periods on Forsyth Street and safe delivery protocol is followed at all times.

Further to the above having carefully considered the site layout, it would seem more problematic if a delivery vehicle were to enter the site, and position to drop deliveries to within the service yard area and potentially block in residents. On rubbish collection days, this could provide further issue if you have 2 larger vehicles trying to enter or turn within the site at the same time.

2.2 No vehicular swept paths have been provided for Refuse Collection Vehicles (RCV's) to demonstrate that the proposals are feasible and safe. Swept paths for a fire tender which were submitted on Drawing 10045-C-401 are not acceptable.
Please refer to Appendix B of TS. We are unsure as to why the drawing demonstrating adequate turning provision for a fire appliance is not acceptable? Please also find attached MacLeod Jordan drawing, 1002, providing evidence of a working swept path for refuse vehicle.

2.3 Large vehicles parking in the layby would obscure visibility for vehicles exiting the car park which is a road safety issue. A Stage 1/2 Road Safety Audit is required for the proposal.
A stage 1 / 2 road safety audit would be undertaken at the detailed design stage and would accompany the RCC design package for the access junction and delivery lay-by.

Forsyth Street has on-street parking along the full length which limits visibility at junctions and there has been no issue with accidents (see attached accident data). The loading bay would only be occupied for 30mins per day which is not excessive and the time can be controlled to quieter times of the day.

3.0 Site Layout

3.1 No visibility splay details have been provided for the site access onto the B9040.)Visibility splay required 2.4m x 70m in both directions). The potential for larger vans and service vehicles to block visibility splay is not acceptable.
See Appendix A of TS.

3.2 Residential bins are shown located within the curtilage of the flatted units. A bin store is also shown to the northwest of the flats Access to the bin store for refuse collection is obstructed by the 'Plant Area' this arrangement is not considered viable. Revised Proposals for bin storage and collection are required.
Please refer to updated site plan showing repositioning of bin storage. It is proposed to have a centrally located bin store/collection point at the front of the residential properties. We are currently awaiting a response from Moray Council Environmental & Commercial Services on their preference for individual or communal bins for this development.

3.3 There is only 0.5m offset between the parking bays and the entrance to the retail unit. This will require customers to use the disabled bay hatched area to access the store and some disabled customers will have to go around the rear of the parking space to enter the store. Disabled users accessing vehicles may temporarily block access to the store whilst entering and exiting vehicles, this arrangement is unacceptable. Revised proposals required to ensure access will not be obstructed and disabled parking us useable. EV provision also needs to provide for disabled parking/access.
Please refer to updated site plan – Revision E

3.4 Residents of the cottage flats have no traffic free route from their properties to the footways along the frontage of the site and all users will have to walk through a busy retail car park. This is a safety issue.
Please refer to updated site plan (Revision E), a pedestrian route is proposed from Forsyth street to the residential elements alongside the Eastern edge of the site. This offers a traffic free unobstructed pathway.

4.0 Connectivity

4.1 No details have been submitted which identify where customers would come from, and the routes they would use to access the site, or comparisons of the pre and post development trips and movements to identify where the most appropriate crossing points should be provided and whether a crossing island may be necessary.
See Chapter 4 of the TS. Please also note diagrammatic arrows shown on site plan which clearly indicate pedestrian routes. The siting of crossing point(s) have been located by taking pedestrian routes into consideration. Taking into account all previous comments, the site has now been amended to provide a fully pedestrianised route from Forsyth street to the residential elements with no further crossing points.

4.2 No assessment of existing accident data for the B9040 has been submitted. See attached accident information. Accident reviews are required to consider the previous 5 years. We have included 10 years as there are no accidents at the site frontage in this period indicating that there is no road safety issue near to the site. One minor accident located near to Mill field Drive which is not relevant to the site proposals.

5.0 Infrastructure

5.1 The existing (and proposed) street lighting has not been shown.
This is not required for planning and should be agreed at RCC stage. It is not acceptable to expect the applicant to take on costs for a fully detailed lighting design layout at this stage.

5.2 Existing telecoms infrastructure which would require to be relocated has not been shown.
Please refer to attached sketch proposal (Dwg 10045-C-501). Again this is a detailed element, however it is expected that all overhead BT cabling will be removed as part of the demolition works and all new development will be served via underground ducts. This would require consultation with BT and input from a suitably qualified engineer.

5.3 A Street Engineering Review (SER) is required for the proposed development.
A small cul de sac is all that can be provided given the site boundary etc. It is felt that this is extremely unnecessary.

Proposed mixed-use development

Forsyth Street
Hopeman
IV30 5ST

Planning Noise Assessment

On behalf of

Springfield Real Estate Management Limited

Project Reference: 89408 | Revision: 01 | Date: 28th August 2020
Revised 22nd October 2020

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Noise Solutions Ltd, Unit 5, Oriel Court, Omega Park, Alton, GU34 2YT Reg no. 3483481

Document Information

Project Name	:	**Mixed-use development, Forsyth Street, Hopeman**
Project Reference	:	**89408**
Report Title	:	**Planning Noise Assessment Report**
Doc Reference	:	**89408/PNA**
Date	:	**28th August 2020**

	Name	Qualifications	Initials	Date
Prepared by:	Nigel Chandler	BSc(Hons), MIOA	NAC	28th August 2020
Reviewed and approved by:	Jon Stump	BSc(Hons), MIOA	JS	28th August 2020
For and on behalf of Noise Solutions Ltd				

Revision	Date	Description	Prepared	Reviewed/ Approved
01	22 Oct 2020	Clarification of details following feedback from local authority	NAC	JS

Noise Solutions Ltd (NSL) disclaims any responsibility to the Client and others in respect of any matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence within the terms of the Contract with the Client and generally in accordance with the appropriate ACE Agreement and taking account of the manpower, resources, investigations and testing devoted to it by agreement with the Client. This report is confidential to the Client and NSL (Noise Solutions Ltd) accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

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Reg no. 3483481 Trading office Unit 5, Oriel Court, Omega Park, Alton, Hampshire, GU34 2YT

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Appendix A Acoustic terminology
Appendix B Aerial photograph of site with overlaid development plan
Appendix C Development plans and elevations
Appendix D Environmental sound survey
Appendix E Delivery noise calculations
Appendix F Noise from industrial starter unit

1.0 Introduction

1.1. Noise Solutions Ltd (NSL) has been commissioned by Springfield Real Estate Management Limited to undertake a planning-stage noise assessment for a proposed mixed-use development to the south of Forsyth Street, Hopeman. The development comprises two residential buildings, a 4000 sq ft retail unit and a 1200 sq ft light industrial Starter unit.

1.2. This report presents the results of an environmental noise survey, the applicable policies and guidance, and a noise impact assessment demonstrating the suitability of the site for the proposed residential development.

1.3. Guidance is provided on plant noise emissions from the proposed retail store, and an assessment is made of noise from delivery activities.

1.4. An outline assessment is made of noise from the light industrial unit.

1.5. To assist with the understanding of this report a brief glossary of acoustic terms can be found in **Appendix A**. A more in-depth glossary of acoustic terms can be assessed at the following web address http://www.acoustic-glossary.co.uk/.

2.0 Site layout and development proposals

2.1. The site is located to the south of the Forsyth Street, Hopeman, to the east of its junction with Inverugie Road.

2.2. The proposed development comprises eight flats within two two-storey buildings at the south of the site, and a 4000 sq ft retail store and 1200 sq ft industrial unit at the north, flanking the access road. The middle of the site is occupied by retail and residential car parking.

2.3. The retail unit is to be within a single-storey detached building with a monopitch roof. The customer entrance will be on the east elevation, with service doors on the north and south elevations. Plant serving the store will be located in a service yard to the south of the store, at the western edge of the site. A delivery bay for the retail store will be located on the Forsyth Street frontage adjacent to the store building and thereby reducing the haul distance for trolleys and cages to a minimum.

2.4. The light industrial Starter unit is to be within a single storey detached building with a roller shutter door and a parking bay in front.

2.5. **Appendix B** contains an aerial photograph showing the site and surrounding area, with an overlay of the proposed development. A site plan and elevations of each building are shown in **Appendix C**.

3.0 Noise policy

Scottish Planning Policy, PAN and TAN

3.1. PAN 1/2011 provides guidance and advice in relation to noise and Scottish planning policy.

3.2. Technical Advice Note – Assessment of noise published by the Scottish Government sets out a methodology of assessing the impact of a new noise source on noise sensitive residential property. The change in noise level, $L_{Aeq,T}$ before and after the development is operational is assigned a Magnitude according to the following:

Table 1 Assigning Magnitudes of noise impact

Magnitude	Change in noise level, $L_{Aeq,T}$ dB (After – Before)
Major	≥5
Moderate	3 to 4.9
Minor	1 to 2.3
Negligible	0.1 to 0.9
No change	0

Moray Council

3.3. James, Harris, Senior Environmental Health Officer at Moray Council, has advised[1] that:

> *I would anticipate the noise consultant to consider the application in particular with respect to BS 4142:2014 and consider all significant noise aspects, including the use and times of operation of the delivery area. Other relevant guidance that may be considered is the consideration of the application against internal noise rating (NR) curves whereby, in the absence of tonality, NR 25 within a living apartment with window ajar would be appropriate during daytime hours (0700-2300 hours) to protect the existing residential amenity, and NR 20 in a bedroom during night time (2300 to 0700 hours).BS 8233: 2014 contains further comment on noise rating curves.*

[1] Letter refernce 20/01712/PLANEH, 20/03686/GCOMP dated 27 May 2020

4.0 Acoustic Standards and Guidance

Institute of Acoustics Professional Practice Guidance

4.1. The Institute of Acoustics published a guidance document for new residential development in May 2017, in conjunction with the ANC and the Chartered Institute of Environmental Health, "*to provide practitioners with guidance on a recommended approach to the management of noise …*". While that document was prepared with the English planning system in mind, it does provide appropriate guidance for all residential use.

4.2. The document advocates a two-stage process for consideration of noise affecting new residential developments. Stage 1 is an initial risk assessment of the proposed development site, based on the ambient noise levels in the area. Stage 2 recommends consideration of four main elements:

- demonstration of a "good acoustic design process"
- observation of internal noise guidelines
- an assessment of noise affecting external amenity areas
- consideration of other relevant issues

4.3. The initial risk assessment considers the indicative daytime and night-time equivalent continuous noise levels which indicates an "increasing risk of adverse effect" with increasing noise levels[2].

4.4. For Stage 2, the ProPG document recommends that the guidance in BS 8233:2014 is followed.

BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

4.5. This Standard provides recommended guideline values for internal noise levels within dwellings which are similar in scope to guideline values contained within the World Health Organisation (WHO) document, Guidelines for Community Noise (1999[3]). These guideline noise levels are shown in Table 2, below:

[2] Figure 1, IoA ProPG for New Residential Development, May 2017
[3] World Health Organisation Guidelines for Community Noise, 1999

Table 2 BS 8233:2014 Desirable Internal Ambient Noise Levels for Dwellings

Activity	Location	07:00 to 23:00 hours	23:00 to 07:00 hours
Resting	Living room	35 dB $L_{Aeq,16h}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16h}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16h}$	30 dB $L_{Aeq,8h}$

4.6. BS 8233:2014 advises that: *"regular individual noise events…can cause sleep disturbance. A guideline value may be set in terms of SEL or $L_{Amax,F}$ depending on the character and number of events per night. Sporadic noise events could require separate values."* While the current edition of the standard gives no specific guidance on internal night-time L_{Amax} sound levels, the previous edition[4] recommended that:

> *For a reasonable standard in bedrooms at night, individual noise events (measured with F time-weighting) should not normally exceed 45 dB L_{AMax}.*

4.7. The standard also provides advice in relation to design criteria for external noise. It states that:

> *"for traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB $L_{Aeq,T}$, with an upper guideline value of 55 dB $L_{Aeq,T}$ which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable.*
>
> *In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.*
>
> …
>
> *In high-noise areas, consideration should be given to protecting these areas by screening or building design to achieve the lowest practicable levels. Achieving levels of 55 dB $L_{Aeq,T}$ or less might not be possible at the outer edge of these areas, but should be achievable in some areas of the space."*

[4] BS 8233:1999 Sound insulation and noise reduction for buildings – Code of practice

BS 4142:2014 Methods for Rating and Measuring Industrial and Commercial Sound

4.8. British Standard (BS) 4142:2014 describes a method for rating and assessing sound of an industrial or commercial nature, which includes:

- Sound from industrial and manufacturing processes;
- Sound from fixed installations which comprise mechanical and electrical plant and equipment;
- Sound from the loading and unloading of goods and materials at industrial and/or commercial premises; and
- Sound from mobile plant and vehicles that is an intrinsic part of the overall sound emanating from premises or processes, such as that from forklift trucks, or that from train or ship movements on or around an industrial and/or commercial site.

4.9. The industrial or commercial sound is assessed outside a dwelling or premises used for residential purposes, upon which sound is incident.

4.10. The procedure contained in BS 4142 is to quantify the "specific sound level", which is the measured or predicted level of sound from the source in question over a one hour period for the daytime and a 15-minute period for the night-time. Daytime is defined in the standard as 07:00 to 23:00 hours, and night-time as 23:00 to 07:00 hours.

4.11. The specific sound level is converted to a rating level by adding penalties on a sliding scale to account for either potentially tonal or impulsive elements. The standard sets out objective methods for determining the presence of tones or impulsive elements, but notes that it is acceptable to subjectively determine these effects.

4.12. The penalty for tonal elements is between 0dB and 6dB, and the standard notes: "Subjectively, this can be converted to a penalty of 2 dB for a tone which is just perceptible at the noise receptor, 4 dB where it is clearly perceptible, and 6 dB where it is highly perceptible."

4.13. The penalty for impulsive elements is between 0dB and 9dB, and the standard notes: "Subjectively, this can be converted to a penalty of 3 dB for impulsivity which is just perceptible at the noise receptor, 6 dB where it is clearly perceptible, and 9 dB where it is highly perceptible."

4.14. The background sound level should be established in terms of the LA90 noise index. The standard states that the background sound level should be measured over a period of sufficient length to obtain a representative value. This should not normally be less than 15-minute intervals. The standard states that: "A representative level ought to account for the range of background sound levels and ought not automatically to be assumed to be either the minimum or modal value."

4.15. The assessment outcome results from a comparison of the rating level with the background sound level. The standard states:

a) Typically, the greater this difference, the greater the magnitude of the impact.

b) A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.

c) A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.

d) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

Adverse impacts include, but are not limited to, annoyance and sleep disturbance. Not all adverse impacts will lead to complaints and not every complaint is proof of an adverse impact."

The standard goes on to note that: "Where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background. This is especially true at night."

4.16. In addition to the margin by which the Rating Level of the specific sound source exceeds the Background Sound Level, the 2014 edition places emphasis upon an appreciation of the context, as follows:

"An effective assessment cannot be conducted without an understanding of the reason(s) for the assessment and the context in which the sound occurs/will occur. When making assessments and arriving at decisions, therefore, it is essential to place the sound in context."

4.17. BS 4142 requires uncertainties in the assessment to be considered, and where the uncertainty is likely to affect the outcome of the assessment, steps should be taken to reduce the uncertainty.

5.0 Environmental sound levels

Environmental sound survey

5.1. An unattended environmental sound pressure level survey was undertaken between 12:30 hours on Friday 21st August and 12:30 hours on Monday 24th August 2020. Measurements were made on Forsyth Street, at position L1 as shown in **Appendix B**.

5.2. Full details of the surveys are provided in **Appendix D** with a history graph of the unattended measurements.

5.3. The relevant results of the survey have been summarised in Table 3 below.

Table 3 Summary of survey results

Measurement location	Measurement period	Range of recorded sound pressure levels (dB)			
		$L_{Aeq(15mins)}$	$L_{AFmax(15mins)}$	$L_{A10(15mins)}$	$L_{A90(15mins)}$
Forsyth Street (L1)	Daytime (07.00 – 23.00 hours)	53 - 69	76 - 96	47 - 73	32 - 56
	Night-time (23.00 – 07.00 hours)	32 - 65	40 - 86	32 - 69	28 - 46

5.4. The data presented above are the free-field levels recorded from the meter.

5.5. Table 4 below presents the incident free field noise levels at L1 in terms of daytime and night-time levels measured during the monitoring period.

Table 4 Daytime and night-time sound pressure levels (free field levels)

Period	Parameter	Sound pressure level, dB
21 Aug 2020 daytime*	$L_{Aeq,T}$	65
21-22 Aug 2020 night-time	$L_{Aeq,8hours}$	56
22 Aug 2020 daytime	$L_{Aeq, 16 hours}$	65
22-23 Aug 2020 night-time	$L_{Aeq, 8 hours}$	56
23 Aug 2020 daytime	$L_{Aeq, 16 hours}$	64
23-24 Aug 2020 night-time	$L_{Aeq, 8 hours}$	56
24 Aug 2020 daytime*	$L_{Aeq,T}$	66
Overall daytime	**$L_{Aeq, 16 hours}$**	**65**
Overall night-time	**$L_{Aeq, 8 hours}$**	**56**

**not complete 16 hour measurements.*

5.6. Measured octave band sound pressure levels corresponding to the overall values above are given in Table 5.

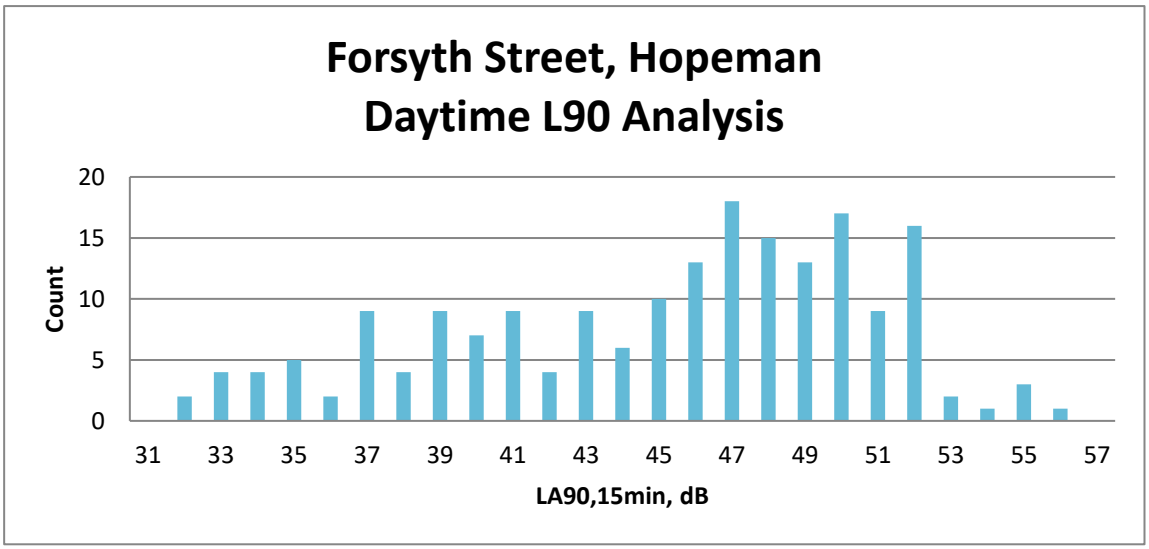
Table 5 Measured octave band sound pressure levels at the measurement location

Period	Incident sound pressure levels (dB) at Octave Band Centre Frequencies (Hz)								
	63	125	250	500	1000	2000	4000	8000	dB(A)
Daytime $L_{eq,\ 16\ hours}$	65	62	60	59	63	57	50	44	65
Night-time $L_{eq,\ 8\ hours}$	56	50	49	49	54	50	43	33	57

Background sound levels

5.7. Background ($L_{A90\ 15min}$) sound levels have been analysed to determine representative values, as required by BS 4142:2014. Data has been analysed for the full daytime and night-time periods and for the likely weekday delivery hours (07.00 to 20.00 hours) and Sunday delivery hours (08.00 to 18.00 hours).

Figure 1 Histogram of daytime L_{A90} background sound pressure levels



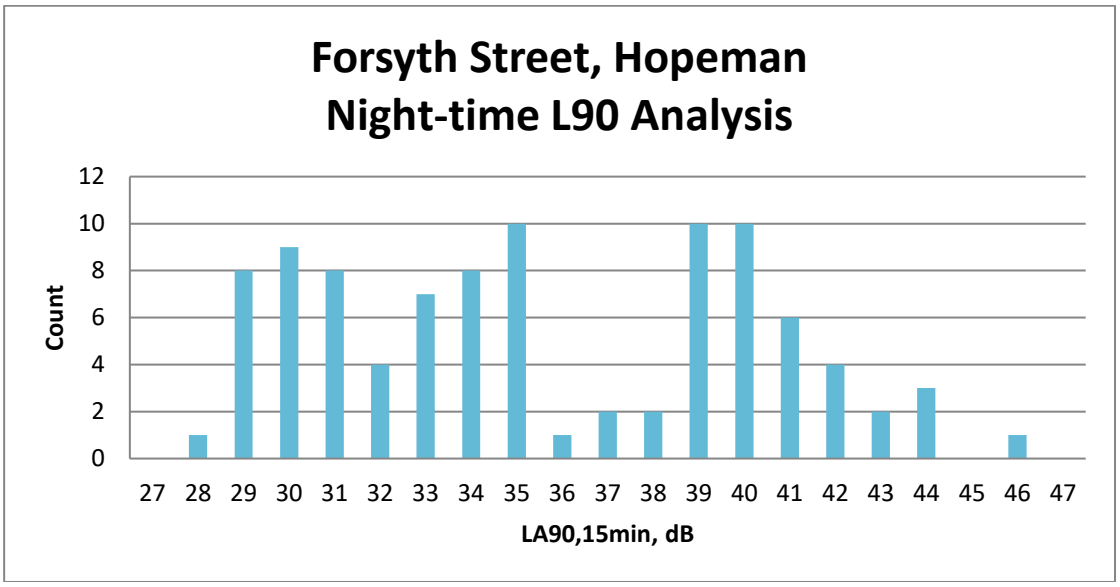
5.8. Additional statistical analysis has been undertaken. As shown in Table 6, the mean, median, and modal values have been calculated:

Table 6 Statistical analysis of $L_{A90,15min}$ levels during the daytime period

dB, L_{A90} daytime period	
Mean	45
Mode	47
Median	46

5.9. From reviewing the above histogram, 37dB has been selected to be representative for the background sound level in this area.

Figure 2 Histogram of night-time L_{A90} background sound pressure levels



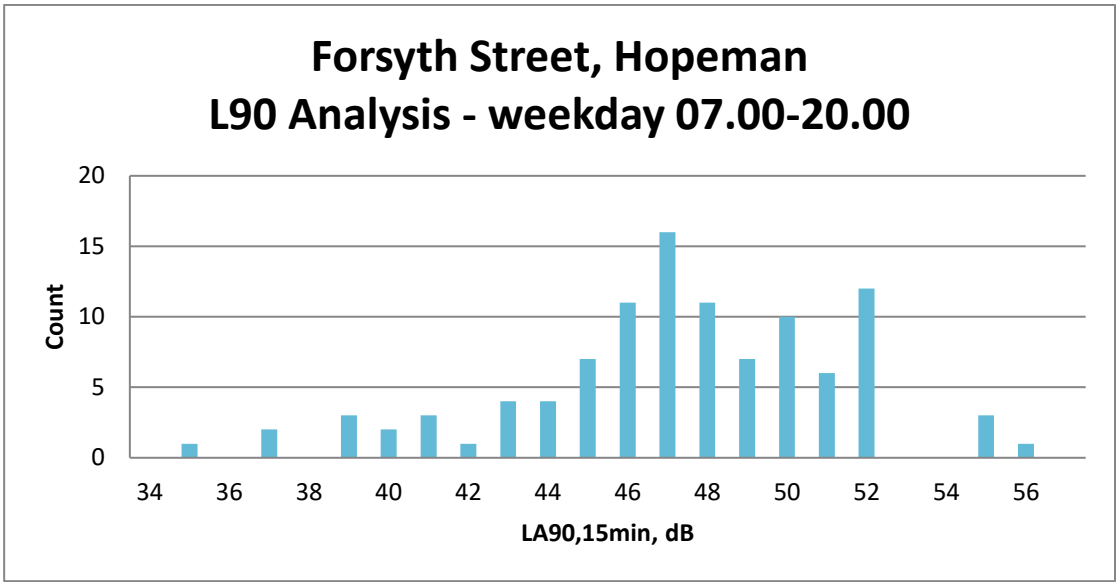
5.10. Additional statistical analysis has been undertaken. As shown in Table 7, the mean, median, and modal values have been calculated:

Table 7 Statistical analysis of $L_{A90,15min}$ levels during the Night-time period

dB, L_{A90} night-time period	
Mean	36
Mode	35
Median	35

5.11. From reviewing the above histogram, 30dB has been selected to be representative of the night-time background sound level in this area.

Figure 3 Histogram of L_{A90} background sound pressure levels, weekdays 07.00 – 20.00 hours



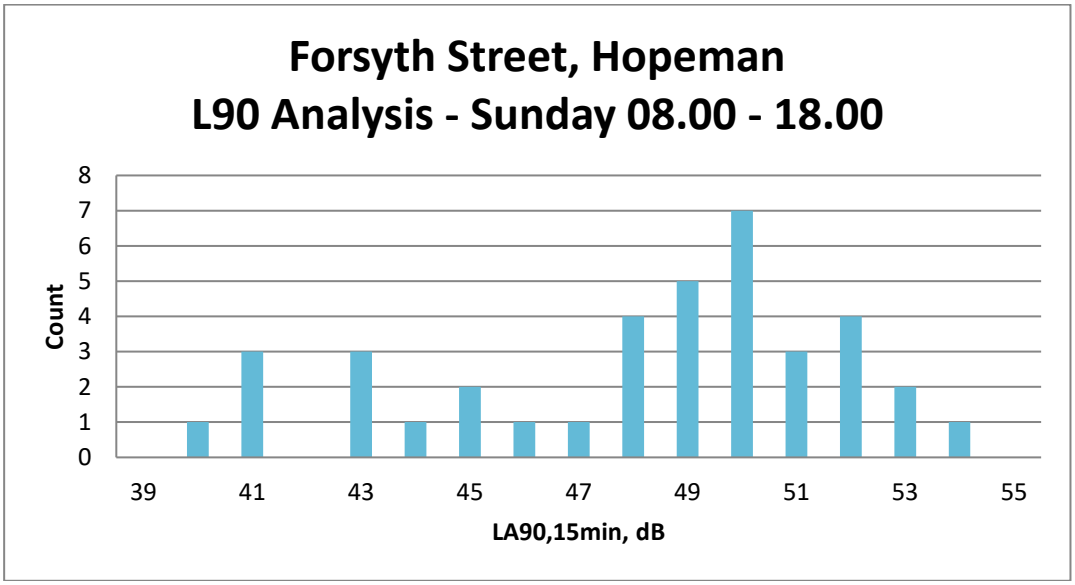
5.12. Additional statistical analysis has been undertaken. As shown in Table 8, the mean, median, and modal values have been calculated:

Table 8 Statistical analysis of $L_{A90,15min}$ levels during likely weekday delivery hours

dB, L_{A90} Sunday 07.00-20.00 hours	
Mean	47
Mode	47
Median	47

5.13. From reviewing the above histogram, 43dB has been selected to be representative of the night-time background sound level in this area.

Figure 4 Histogram of L_{A90} background sound pressure levels, Sunday 08.00 – 18.00 hours



5.14. Additional statistical analysis has been undertaken. As shown in Table 9, the mean, median, and modal values have been calculated:

Table 9 Statistical analysis of $L_{A90,15min}$ levels during likely Sunday delivery hours

dB, L_{A90} Sunday 08.00-18.00 hours	
Mean	48
Mode	50
Median	49

5.15. From reviewing the above histogram, 43dB has been selected to be representative of the night-time background sound level in this area.

5.16. Therefore, the following values are considered as representative of the existing background sound pressure levels at nearby noise sensitive premises:

- 37dB L_{A90} during the daytime period; and
- 30dB L_{A90} during the night-time period
- 43 dB L_{A90} between 07.00 and 20.00 hours Monday to Saturday
- 43 dB L_{A90} between 08.00 and 18.00 hours on Sunday

6.0 Residential noise assessment

Incident sound levels used in assessment

6.1. The measurement position was approximately 1m from the edge of the carriageway. The nearest façades of the proposed houses are significantly further from the road and it is therefore appropriate to apply a correction for the relative distances. In the case of the south façade it is also appropriate to make corrections for acoustic screening provided by the houses. A distance correction of 9dB, and a screening correction of 5dB for the south façade, is considered appropriate.

6.2. Octave band incident sound pressure levels for the residential façades have been calculated based on the measured data and the distance and screening corrections noted above. The data used in the assessment is given in Table 10.

Table 10 Predicted incident octave band sound pressure levels at residential façades

Façade	Period	Incident sound pressure levels (dB) at Octave Band Centre Frequencies (Hz)								
		63	125	250	500	1000	2000	4000	8000	dB(A)
North	Daytime $L_{eq,\ 16\ hours}$	56	53	51	50	54	48	41	35	56
	Night-time $L_{eq,\ 8\ hours}$	47	41	40	40	45	41	34	24	48
South	Daytime $L_{eq,\ 16\ hours}$	51	48	46	45	49	43	36	30	51
	Night-time $L_{eq,\ 8\ hours}$	42	36	35	35	40	36	29	19	43

Initial risk assessment

6.3. As noted in Table 10, the daytime incident noise levels are predicted to be between 56dB $L_{Aeq,16hr}$ on the north façade and 51dB $L_{Aeq,16hr}$ on the south façade, while night-time levels are in the range 48 dB $L_{Aeq,8hr}$ to 43 dB $L_{Aeq,8hr}$ at the same locations.

6.4. The noise levels at the residential façades are therefore are within the "low" ranges of noise levels in Figure 1 of the IoA ProPG document.

6.5. The ProPG document notes that:

> *At low noise levels, the site is likely to be acceptable from a noise perspective provided that a good acoustic design process is followed and is demonstrated in an ADS[5] which confirms how the adverse impacts of noise will be mitigated and minimised in the finished development.*

Building fabric assessment

6.6. In order to assess the suitability of the site for the proposed dwellings it is important to predict the internal noise levels within habitable rooms.

6.7. BS 8233:2014 indicates that typically an open window provides a sound reduction of approximately 15 dBA (i.e. the internal reverberant sound level is 15 dBA lower than the external incident sound level). The external noise levels across the site are such that the internal noise levels with open windows would be marginally higher than those recommended in Table 2, and therefore ventilation should not normally be provided by opening the windows.

6.8. The composite acoustic performance required of any portion of the building envelope will depend on its location relative to the principal noise sources around the site and the nature of the spaces behind it (noise criteria, size, room finishes etc.).

[5] Acoustic Design Statement (i.e. this report)

6.9. The variation in incident noise levels on the different façades, along with differences in internal layouts and size of glazed areas, implies that a number of different sound insulation performance levels may be required in order for a specific internal ambient noise level to be reached. Logistically, this could result in increased costs for the development due to bespoke solutions, effects on programme and increase of errors during construction.

6.10. Therefore, it is not practical to specify a large number of different external building fabric constructions and this is also not supported by national policy on noise.

6.11. The detailed calculation methodology described in BS 8233:2014 has been used in the assessment. Table 11 below presents the input data used to predict the resultant internal noise level in the habitable rooms. These calculations are based on the room dimensions shown on the project drawings referenced in **Appendix C**.

Table 11 Source data for the noise break-in assessment

Kitchen / living room	
Room Volume (m^3)	62
Room Type	Kitchen/living room
Room Furnishings	Curtains, sofa, part-timber floor finish
Area of window (m^2)	3.4
Area of external wall (m^2)	26
Bedroom	
Room Volume (m^3)	23
Room Type	Bedroom
Room Furnishings	Curtains, bed, timber floor finish
Area of window (m^2)	1.4
Area of external wall (m^2)	14

6.12. Based on the information above, and the noise spectrum data shown in Table 10, the resulting internal sound levels may be calculated. The results of the assessment are shown in Table 12. These predictions are based on the following typical glazing and ventilator constructions:

- Standard (e.g. 4/16/4 thermal double glazing) to all habitable rooms;
- Standard non-acoustic trickle ventilators to all habitable rooms;
- Traditional brick-block cavity walls with slate/tile roof and plasterboard ceiling under roof joists.

6.13. The minimum airborne sound insulation performance of each of these constructions is as set out in Table 13.

Table 12 Predicted internal sound pressure levels (closed windows)

Façade	Room type	Period/ Parameter	Internal sound level, dB	Criterion, dB	Excess, dB
North	Kitchen-living room	Daytime $L_{Aeq\ 16hr}$	24	35	-9
South	Bedrooms	Daytime $L_{Aeq\ 16hr}$	21	35	-14
		Night-time $L_{Aeq\ 8hr}$	12	30	-18

6.14. The minimum sound insulation values for the various building envelope constructions considered are as shown in Table 13.

Table 13 Proposed building envelope specifications

Envelope Specification	External building fabric element	Construction element	Sound reduction indices or Normalised Level Difference (for ventilators) dB at Octave band Centre Frequencies (Hz)				
			125	250	500	1k	2k
Standard glazing	Glazing configuration, glass mm/airgap mm/glass mm	4mm glass, 16 mm airgap, 4 mm glass	24	23	30	33	33
Non-acoustic trickle ventilator			32	32	31	33	31
Brick/block cavity wall			41	45	45	54	58

6.15. It should be noted that glazing configurations and other constructions described above are for guidance and costings purposes only. It will be the responsibility of the manufacturer to provide evidence of compliance with the required octave band sound reduction performances.

External noise levels

6.16. Gardens are to be provided to the south of the residential building, and are therefore screened from Forsyth Street. Daytime ambient noise levels would therefore be around 48dB $L_{Aeq\ 16hour}$, as noted in Table 10 for the south façade. Noise levels in the garden would therefore be below the guidance values in BS 8233:2014.

Conclusion

6.17. The assessment has demonstrated that, taking into consideration the provision of reasonable practicable measures (i.e. the provision of good quality thermal double glazing and non-acoustic trickle ventilators) adverse effects of noise can be minimised for the development proposals.

7.0 Retail store plant noise guidance

Nearest noise sensitive receptor

7.1. The nearest noise-sensitive receptor to the proposed plant area is the house immediately to the west of the site, on Inverugie Road (shown as Receptor R1 in **Appendix B**). This is approximately 14m from the plant area and may be screened from some or all of the plant by the boundary fence. For the purposes of this initial guidance assessment, however, it is assumed that the fence will provide no significant acoustic screening.

Proposed plant noise criteria

7.2. It is considered appropriate that the cumulative plant noise rating level of proposed plant should be controlled to a level that does not exceed the representative L_{A90} background sound level at the nearest residential property. This would result in, at worst, a 'low impact' according to BS 4142:2014 (depending on the context) and therefore avoid any adverse impact.

7.3. The cumulative noise level for the proposed plant at the nearest residential windows should not therefore exceed the limits shown in the table below:

Table 14 Proposed plant noise emissions level limits at noise sensitive residential receptors

Period	Cumulative plant rating noise level, dB(A)	Resulting internal NR level
Daytime (07.00 – 23.00 hours)	37	17
Night-time (23.00 – 07.00 hours)	30	10

7.4. Plant details are to be finalised. Plant noise spectrum data is therefore not available at present. For typical plant of the type used in stores of this kind, the NR level at 10m is (numerically) around 5 dB lower than the dBA value at 10m. The predicted resulting internal NR levels also include a 15dB reduction for a partially opened window, as described in BS 8233:2014.

Outline guidance - AC and refrigeration plant noise limits

7.5. Taking account of the distance between the plant and the nearest noise sensitive receptors, noise levels from the proposed refrigeration and AC plant should not exceed the following limits in order to demonstrate compliance with the criteria detailed in Table 14:

Table 15 Guidance on maximum AC and refrigeration plant noise emission limits

Plant	Period	Maximum plant noise emission level (L_{Aeq})
AC units (each, based on two operating)	Daytime (07.00 – 23.00 hours)	53dB at 1m*
	Night-time (23.00 – 07.00 hours)	-
Refrigeration plant (total)	Daytime (07.00 – 23.00 hours)	30dB at 10m
	Night-time (23.00 – 07.00 hours)	30dB at 10m

**Limits based on typical split AC units; refer to NSL for limits for VRF/VRV units*

7.6. The above limits are likely to be met with typical plant used at a store of this size.

8.0 Retail store delivery noise assessment

Deliveries

8.1. For stores of this type, main warehouse deliveries are typically made by vehicles no bigger than 12m rigid lorries. Each delivery will take no longer than one hour to complete, the deliveries would not be within the same hour, and no overlap would occur.

8.2. Smaller deliveries will be made via third party suppliers (bread, sandwiches, newspapers, etc.); however, the vehicles and loads associated with these deliveries are not anticipated to result in any significant noise impact, since they are smaller vehicles and metal roll cages are not used.

8.3. The proposed loading bay is on Forsyth Street, alongside the north elevation of the store. The loading bay location means that the vehicle does not need to reverse to arrive or leave, minimising the time on site and the manoeuvring required. Goods will be unloaded into the BOH by trolleys.

Nearest noise sensitive receptors

8.4. The nearest noise sensitive properties to the loading bay and BoH entrance are on the north side of Forsyth Street (Receptor R2 in **Appendix B**), approximately 14m from the loading bay, trolley route and entrance.

Sound pressure levels of activities associated with store deliveries

8.5. The sound pressure levels associated with refrigerated lorry deliveries were established by measurement of a delivery at a similar convenience store in operation. The measurements included all aspects of the delivery including, but not limited to, the arrival, unloading, movement of cages and the departure of the lorry. The sound pressure levels were normalised to a distance of 10m from the delivery area and have been converted to Sound Exposure Levels (SEL) for ease of comparison/calculation. Typical L_{Amax} levels were also established.

8.6. It should be noted that the example delivery represented a standard operation; the refrigeration unit was switched off as standard.

8.7. Table 16, below, details typical source noise levels, used within the assessment, with the data presented in terms of SEL and maximum individual noise event levels (L_{AFmax}).

Table 16 Reference noise data for delivery activities (at 10m)

Noise Source	SEL, dB(A)	L_{Afmax}, dB(A)
Lorry arrival	68	62
Unloading cages on to lift	71	74
Unloading pallets on to lift	75	73
Lift up	73	65
Lift down	71	71
Unloading cages into BoH	78	75
Lorry departure	75	68

Predicted impact

8.8. The information contained in Table 16 was used to 'build-up' a source noise level based on the number of activity events over the required assessment period using the following equation:

$$L_{Aeq,T} = SEL + 10.\log\left(\frac{1}{T}\right) + 10.log(N) \quad \text{(Equation 1)}$$

Where:
SEL is the L_{Aeq} over a one second period, and represents the noise energy from an event (e.g. cage movement) compressed into one second;
T is the reference time period in seconds; and
N is the number of movements in the time period, T.

8.9. The delivery noise level at the nearest receptor has been predicted. Full calculations are shown in **Appendix E** and are summarised in Table 17.

Table 17 Predicted delivery noise levels

Receptor	Predicted noise levels at window of most affected residential dwelling	
	$L_{Aeq,T}$, dB	Range of L_{Afmax} (dB)
R2, 33 Forsyth Street	53 $L_{Aeq,1hr}$	59-72

BS 4142:2014 delivery noise assessment

8.10. Table 18 below presents the initial assessment of the likely impact during the daytime period in accordance with the BS 4142:2014 methodology at the identified receptor:

Table 18 Assessment of predicted external delivery noise levels at Receptor R2 using BS 4142:2014 during the daytime

Results	Mon-Sat 07.00 – 20.00, Sunday 08.00 – 18.00	Relevant Clauses of BS 4142:2014	Commentary
Background Sound level	L_{A90} = 43dB	8.1, 8.2	Representative typical background sound level during permitted delivery period, determined from a range of measurements
Assessment made during the daytime, so the reference interval is one hour		7.2	
Specific Sound Level	$L_{Aeq,T}$ = 53dB	7.3.6	Calculations presented in Appendix E
Acoustic Feature Correction	6dB	9.2	Impulsivity (bangs and clatters) could be perceptible
Rating Level	(53+6) dB = 59dB		
Excess of Rating Level over background sound level	(59-43) dB = +16dB		
Context	Site is on a road with local traffic, including buses, producing short periods of high noise levels		
Assessment of impact:	Potential adverse impact		

8.11. The assessment indicates that, for deliveries made within the typical delivery periods as noted, the rating level is above the representative background sound level and there is therefore the possibility of an adverse noise impact.

8.12. From analysis of the noise survey data, the ambient ($L_{Aeq\ 15min}$) sound level during the delivery periods noted are between 59dB and 69dB Monday to Saturday and between 61dB and 67dB on Sunday. The predicted delivery specific sound level noted above would lead to an increase of no more than 1dB in the $L_{Aeq\ 1hour}$ sound level and would therefore represent, at worst, a "Minor" noise impact, according to the TAN methodology set out in Table 1.

Recommended Delivery Noise Mitigation

8.13. It is recommended that the store implements a noise management plan to reduce the noise impact of deliveries on the neighbours as much as possible. A typical set of mitigation measures is given below.

Noise Management Plan for deliveries

- Drivers contact the store prior to arrival to ensure staff are ready to assist;
- Deliveries are scheduled and agreed with the store to reduce to a minimum the time taken to deliver the goods and therefore limit potential for noise impact;
- Delivery doors are well maintained to minimise noise when opening / closing;
- Lorry engine and refrigeration is turned off as soon as practicable and they are not left running during deliveries;
- An isolating mat is placed under the tail/scissor lift to reduce the noise of the plates on the pavement or the loading bay;
- The radio in the lorry cabin is switched off / muted before arrival;
- All employees speak in hushed voices;
- All employees avoid going over drains and loose paving when moving cages.
- There is a general requirement for all drivers to minimise noise at all times;
- Delivery vehicles are driven around the area in a considerate manner, e.g. speed being kept to a practical minimum and all items properly fastened in order to ensure rattles and bangs are kept to a minimum;
- If a complaint arises, employees will follow a set of guidelines which set out how to deal with complaints quickly and effectively and to address any issues raised.

9.0 Industrial unit outline noise impact assessment

Likely source noise level

9.1. Operational noise sources within the Starter Unit will depend on its use. This could be a relatively quiet use, such as storage and light works, or a noisier car workshop or sheet metal workshop. It is reasonable to consider the latter as a worst-case.

9.2. Guidance published by the Health and Safety Executive[6] indicates that short-term noise levels due to the use of orbital sanders may be up to 97dB(A) at the operator's ear. Sheet metal workshops could have similar noise levels.

9.3. The following assessment is based on the unit operating only between 07.00 hours and 18.00 hours, Monday to Saturday.

Noise sensitive receptors

9.4. The nearest noise-sensitive receptors to the starter unit are at on the north side of Forsyth Street and Tulloch House (Receptors R2 and R3 respectively in **Appendix B**). The front windows of the nearest properties to the north are approximately 25m from the closest corner of the starter unit. The side windows of Tulloch House are approximately 14m from the closest corner of the unit.

Calculation methodology and assessment

9.5. The noise levels at the nearest residential receptors due to noise within the starter unit may be predicted by applying corrections for typical duration of operation during a worst-case hour, reverberant field corrections within the workshop, the sound insulation of the external building envelope of the workshop and the distance between the unit and the receptor. The likely impact of the noise source may then be assessed using the method described in BS 4142:2014 and the TAN impacts table.

9.6. It is understood that the proposed construction of the starter unit is lightweight cladding, with windows from Perspex or similar. The airborne sound insulation of these building elements will depend on the precise constructions and products used, but would typically be around R_w 30dB for the cladding and windows and R_w 20 dB for the roller shutter / sectional door. These values are at the low-end of the range of likely performance values; higher values would be achievable by internal linings, the use of double-glazed windows, and installation of high-performance doors, for example.

[6] HSG261 *Health and safety in motor vehicle repair and associated industries*

9.7. The predicted noise levels at the nearest receptors have been calculated in **Appendix F** and are summarised in Table 19.

Table 19 Predicted noise levels – breakout from industrial unit

Receptor	Predicted noise levels at window of most affected residential dwelling
	$L_{Aeq,T}$, dB
R2, Forsyth Street	37 $L_{Aeq,1hr}$
R3, Tulloch House	39 $L_{Aeq,1hr}$

9.8. Table 20 presents the assessment of the likely impact during the daytime period in accordance with the BS 4142:2014 methodology at Receptor R3, where the predicted breakout noise-level is highest. In accordance with the methodology in BS 4142:2014, the predicted rating noise level due to noise from the unit industrial unit is compared with the representative background sound level during the proposed periods at which those operations will take place (i.e. Monday to Saturday, 07.00 to 18.00 hours, as noted in Paragraph 5.16).

Table 20. Assessment of predicted external noise levels (08.00 to 18.00 hours)

Results	Mon-Sat 07.00 – 18.00	Relevant Clauses of BS4142:2014	Commentary
Background Sound level	L_{A90} = 43dB	8.1, 8.2	Representative typical background sound level determined from a range of measurements
Assessment made during the daytime, so the reference interval is one hour		7.2	
Specific Sound Level	$L_{Aeq,T}$ = 39dB	7.3.6	Calculations presented in Appendix F
Acoustic Feature Correction	10dB	9.2	Tonality of some tools could be perceptible; impulsivity may be clearly perceptible
Rating Level	(39+10) dB =49dB		
Excess of Rating Level over background sound level	(49-43) dB = +6dB		
Assessment of impact: Potential adverse impact (depending on context)		11	

9.9. This assessment shows that during a worst-case hour with the noisiest likely noise levels within the starter unit, the BS 4142:2014 rating level may be 6dB above the existing representative background sound level, when a pessimistic 10dB feature correction is included.

9.10. From analysis of the noise survey data, the ambient ($L_{Aeq\ 15min}$) sound level during the proposed hours of operation of the industrial unit as noted are between 59dB and 69dB Monday to Saturday. The predicted specific sound level noted above would lead to less than 0.1 dB increase in the $L_{Aeq\ 1hour}$ sound level and would therefore represent, "No change", according to the TAN methodology set out in Table 1.

10.0 Discussion of results and uncertainties

10.1. Where possible uncertainty in the above assessments has been minimised by taking the following steps:

- The measurement of the background sound levels was taken over a 72-hour weekend period.
- The meter and calibrator used have a traceable laboratory calibration and was field calibrated before and after the measurements.
- Uncertainty in the calculated impacts has been reduced by the use of well-established calculation methods.

11.0 Summary

11.1. Noise Solutions Limited has been commissioned by Springfield Real Estate Management Limited to undertake a planning stage noise assessment for a proposed mixed-use development at Forsyth Street, Hopeman.

11.2. The results of the assessments were analysed and reviewed in line with the aims and advice contained within the relevant planning policies and recognised Standards and guidance.

11.3. The external building fabric assessment found that within all assessed rooms, the calculated internal noise meets the guidance in recognised Standards and professional guidance. The assessment has demonstrated that taking into consideration the provision of reasonable practicable measures (i.e. the provision of trickle ventilators for background ventilation and good quality thermal double glazing) adverse effects of noise can be minimised for the residential development proposals. The site can, therefore, be considered suitable for residential development.

11.4. Guidance on the maximum noise emissions from the proposed plant has been provided. NSL should be consulted once the final layout/selections have been confirmed.

11.5. For main store deliveries made between 07.00 hours and 20.00 hours Monday to Saturday and between 08.00 hours and 18.00 hours on Sunday, there would be no worse than a "minor" noise impact, as assessed using the method described in the TAN guidance. The impact may be minimised by implementation of an appropriate noise management plan.

11.6. For the noisiest likely activities within the start unit, between 07.00 hours and 18.00 hours Monday to Saturday, there would be "no change" as assessed using the method described in the TAN guidance.

11.7. Based on the findings of this assessment, noise should not be grounds for refusal of planning permission for the proposed development.

Appendix A Acoustic terminology

Parameter	Description
Ambient Noise Level	The totally encompassing sound in a given situation at a given time, usually composed of a sound from many sources both distant and near ($L_{Aeq,T}$).
Decibel (dB)	A scale for comparing the ratios of two quantities, including sound pressure and sound power. The difference in level between two sounds s1 and s2 is given by 20 $\log_{10}$ (s1/s2). The decibel can also be used to measure absolute quantities by specifying a reference value that fixes one point on the scale. For sound pressure, the reference value is 20µPa. The threshold of normal hearing is in the region of 0 dB and 140 dB is the threshold of pain. A change of 1 dB is only perceptible under controlled conditions.
dB(A), L_{Ax}	Decibels measured on a sound level meter incorporating a frequency weighting (A weighting) which differentiates between sounds of different frequency (pitch) in a similar way to the human ear. Measurements in dB(A) broadly agree with people's assessment of loudness. A change of 3 dB(A) is the minimum perceptible under normal conditions, and a change of 10 dB(A) corresponds roughly to halving or doubling the loudness of a sound. The background noise in a living room may be about 30 dB(A); normal conversation about 60 dB(A) at 1 metre; heavy road traffic about 80 dB(A) at 10 metres; the level near a pneumatic drill about 100 dB(A).
Fast Time Weighting	Setting on sound level meter, denoted by a subscript F, that determines the speed at which the instrument responds to changes in the amplitude of any measured signal. The fast time weighting can lead to higher values than the slow time weighting when rapidly changing signals are measured. The average time constant for the fast response setting is 0.125 (1/8) seconds.
Free-field	Sound pressure level measured outside, far away from reflecting surfaces (except the ground), usually taken to mean at least 3.5 metres
Façade	Sound pressure level measured at a distance of 1 metre in front of a large sound reflecting object such as a building façade.
$L_{Aeq,T}$	A noise level index called the equivalent continuous noise level over the time period T. This is the level of a notional steady sound that would contain the same amount of sound energy as the actual, possibly fluctuating, sound that was recorded.
$L_{max,T}$	A noise level index defined as the maximum noise level recorded during a noise event with a period T. L_{max} is sometimes used for the assessment of occasional loud noises, which may have little effect on the overall L_{eq} noise level but will still affect the noise environment. Unless described otherwise, it is measured using the 'fast' sound level meter response.
$L_{10,T}$	A noise level index. The noise level exceeded for 10% of the time over the period T. L_{10} can be considered to be the "average maximum" noise level. Generally used to describe road traffic noise. $L_{A10,18h}$ is the A –weighted arithmetic average of the 18 hourly $L_{A10,1h}$ values from 06:00-24:00.
$L_{90,T}$	A noise level index. The noise level that is exceeded for 90% of the measurement time interval, T. It gives an indication of the lower levels of fluctuating noise. It is often used to describe the background noise level and can be considered to be the "average minimum" noise level and is a term used to describe the level to which non-specific noise falls during quiet spells, when there is lull in passing traffic for example.

Appendix B Aerial photograph of site with overlaid development plan

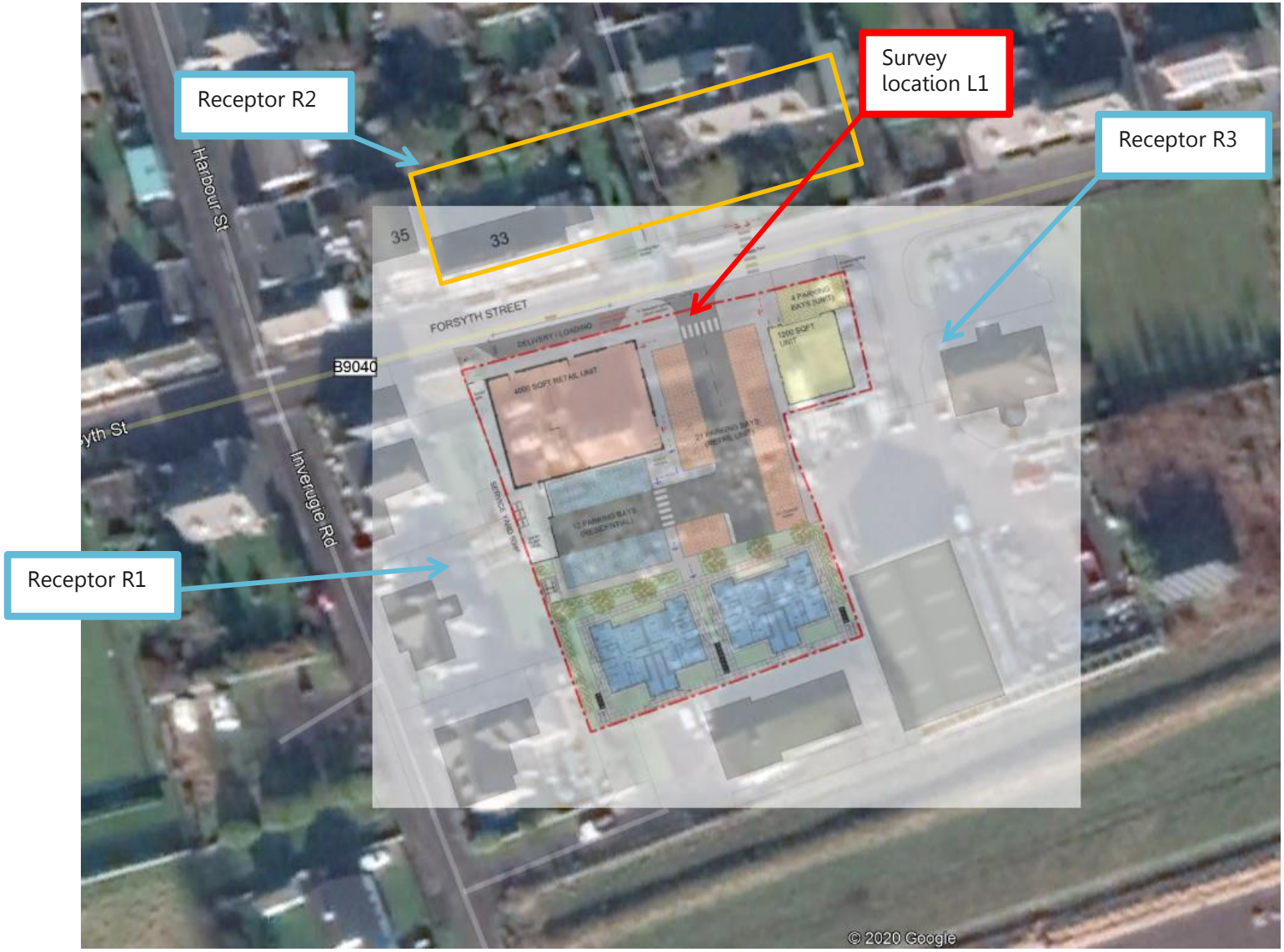
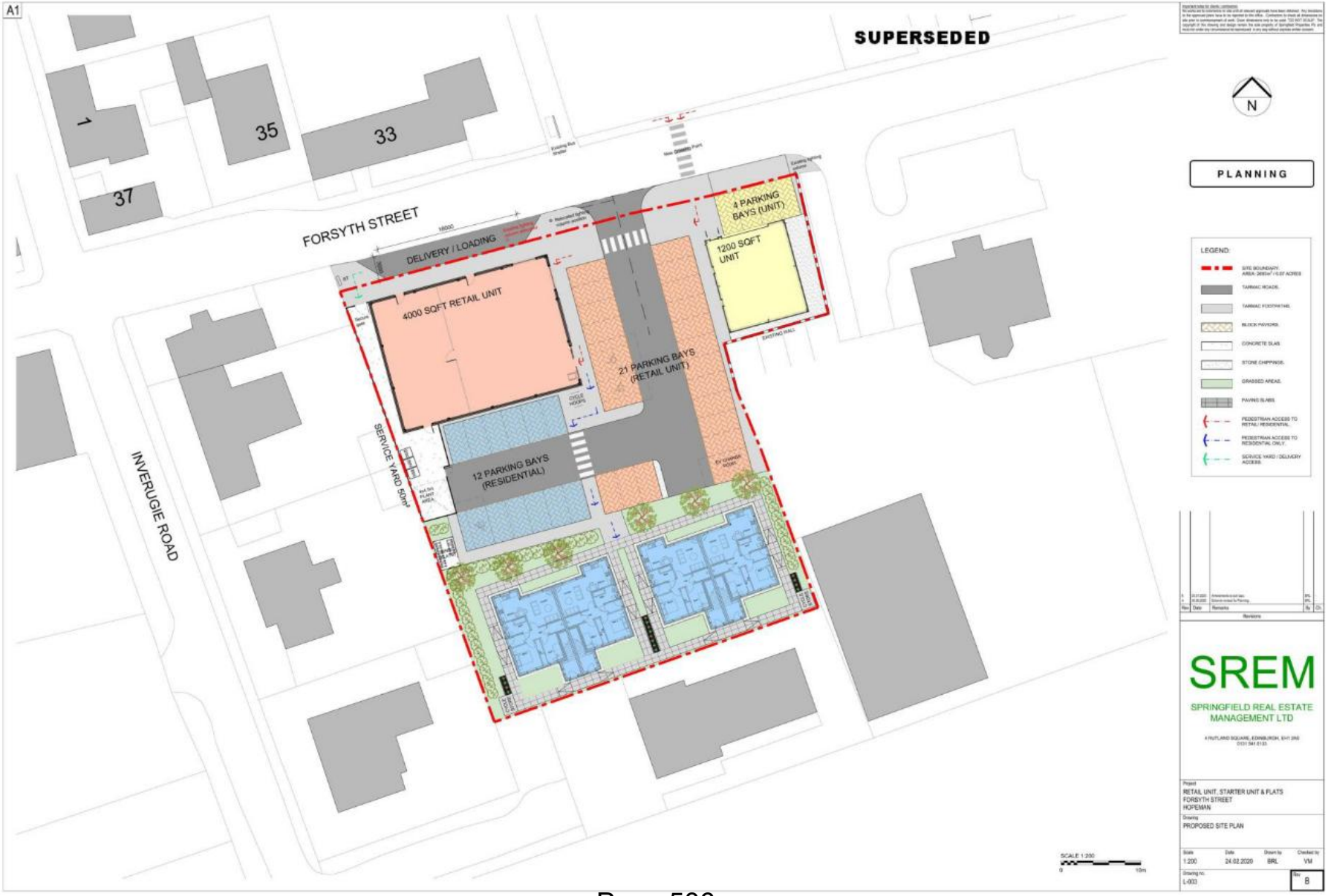
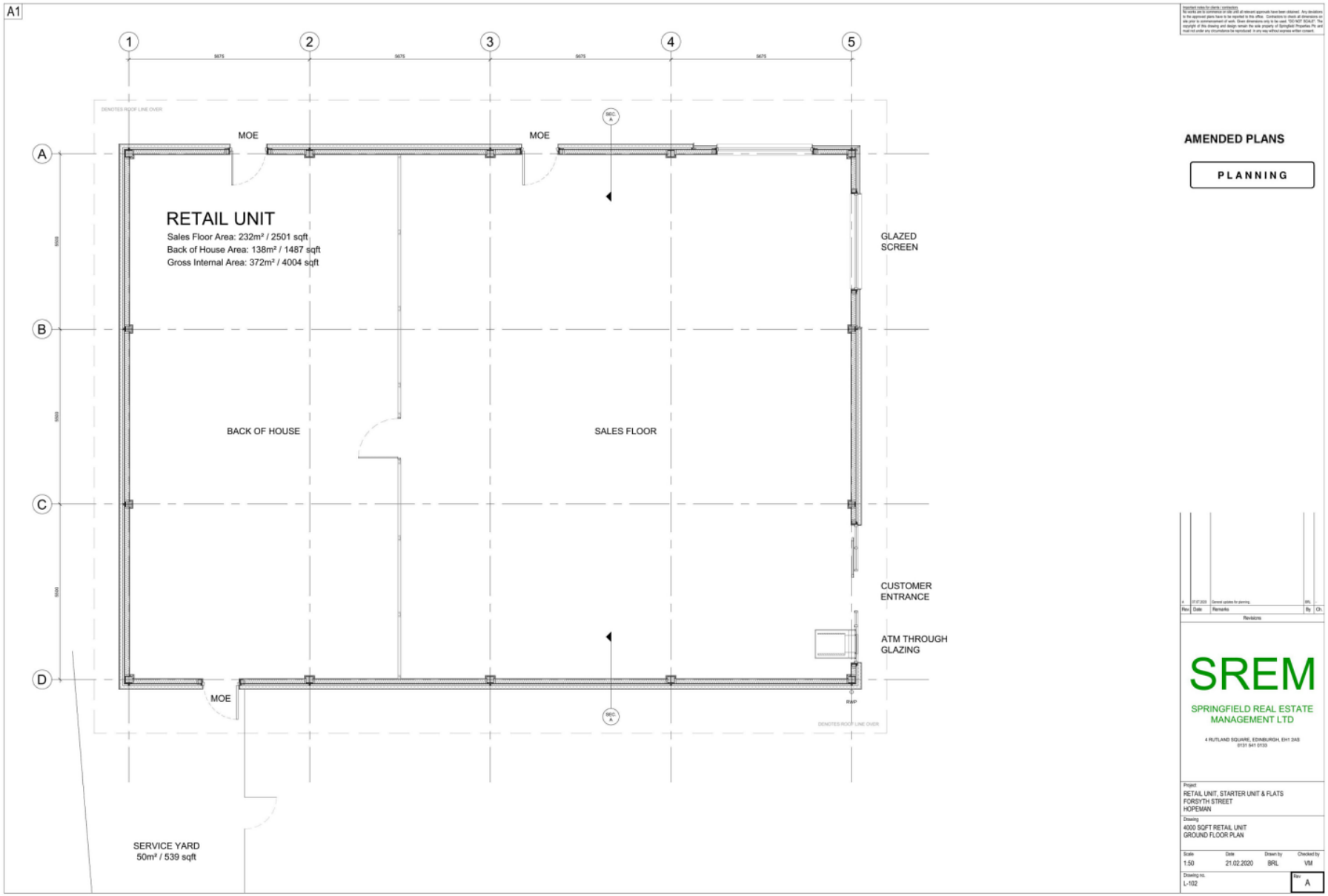


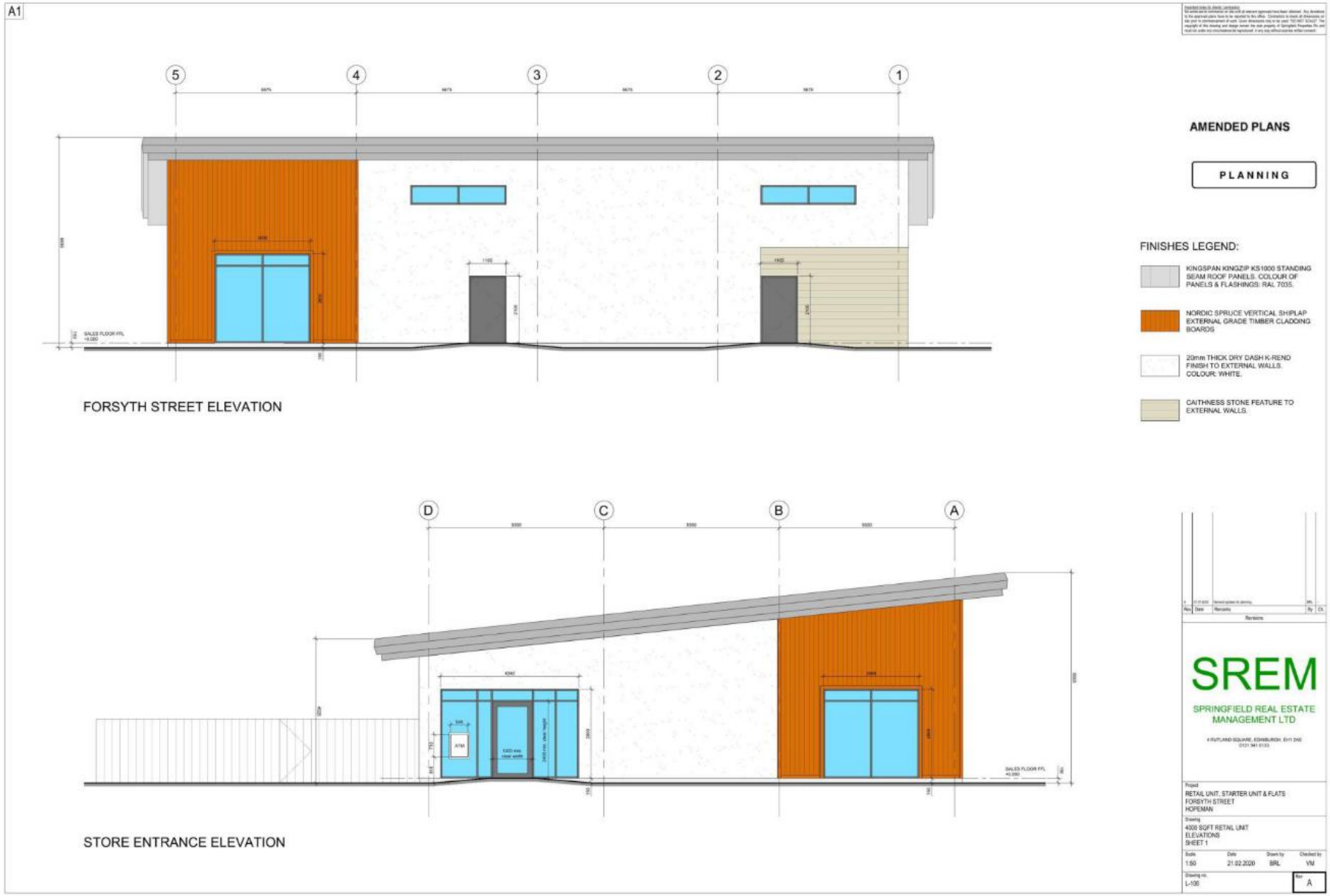
Image © Google 2020

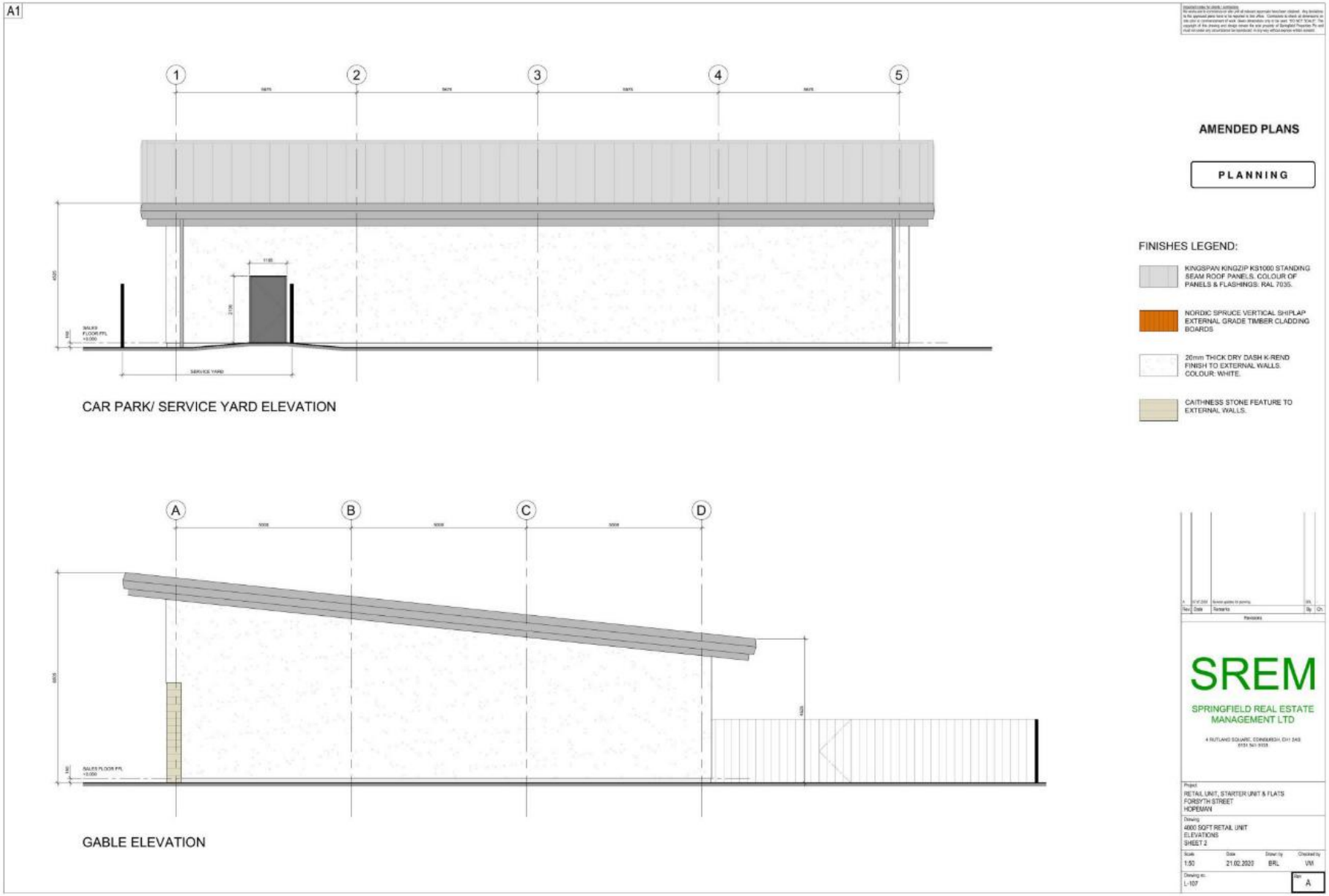
Appendix C Development plans and elevations



A1
PLANNING
scale bar 1:100
scale bar 1:50
FINISHES LEGEND:
NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
MARLEY 'EDGEMERE' CONCRETE TILE SMOOTH GREY
20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.
CAITHNESS STONE FEATURE TO EXTERNAL WALLS
RAL 7016 GREY UPVC WINDOWS
RAL 7016 GREY COMPOSITE DOORS
RAL 7016 UPVC SOFFIT AND FASCIA
8813
Rear Elevation 1:100
Side Elevation 1:100
Front Elevation 1:100
Side Elevation 1:100
15436
13165
Kitchen
Lounge
Bath
Hall
C
W
Bed 1
Bed 2
Ground Floor Plan 1:50
First Floor Plan 1:50
AMENDED PLANS
SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN
CAWDOR COTTAGE APARTMENTS
PLANNING SUBMISSION PLANS AND ELEVATIONS
1:50 / 1:100
10/07/2020
SM
BW
L-300


A1
1
2
3
4
5
A
B
C
D
MOE
MOE
MOE
RETAIL UNIT
Sales Floor Area: 232m² / 2501 sqft
Back of House Area: 138m² / 1487 sqft
Gross Internal Area: 372m² / 4004 sqft
BACK OF HOUSE
SALES FLOOR
GLAZED SCREEN
CUSTOMER ENTRANCE
ATM THROUGH GLAZING
SERVICE YARD
50m² / 539 sqft
AMENDED PLANS
PLANNING
SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN
4000 SQFT RETAIL UNIT
GROUND FLOOR PLAN
1:50
21.02.2020
BRL
VM
L-102
A


A1
5
4
3
2
1
AMENDED PLANS
PLANNING
FINISHES LEGEND:
KINGSPAN KINGZIP KS1000 STANDING SEAM ROOF PANELS. COLOUR OF PANELS & FLASHINGS: RAL 7035.
NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.
CAITHNESS STONE FEATURE TO EXTERNAL WALLS.
FORSYTH STREET ELEVATION
D
C
B
A
STORE ENTRANCE ELEVATION
SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN
4000 SQFT RETAIL UNIT
ELEVATIONS
SHEET 1
1:50
21.02.2020
BRL
VM
L-100
A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1
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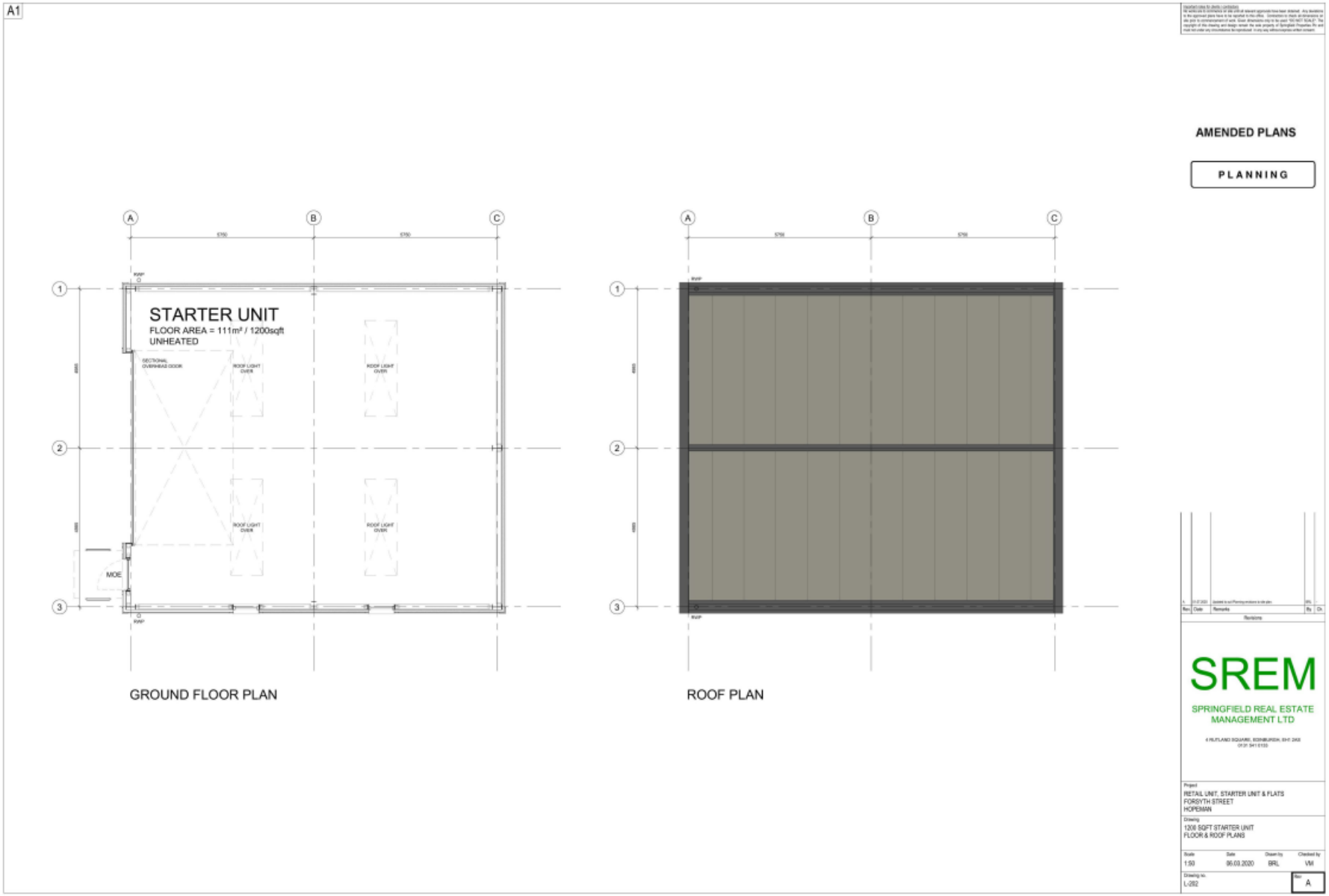
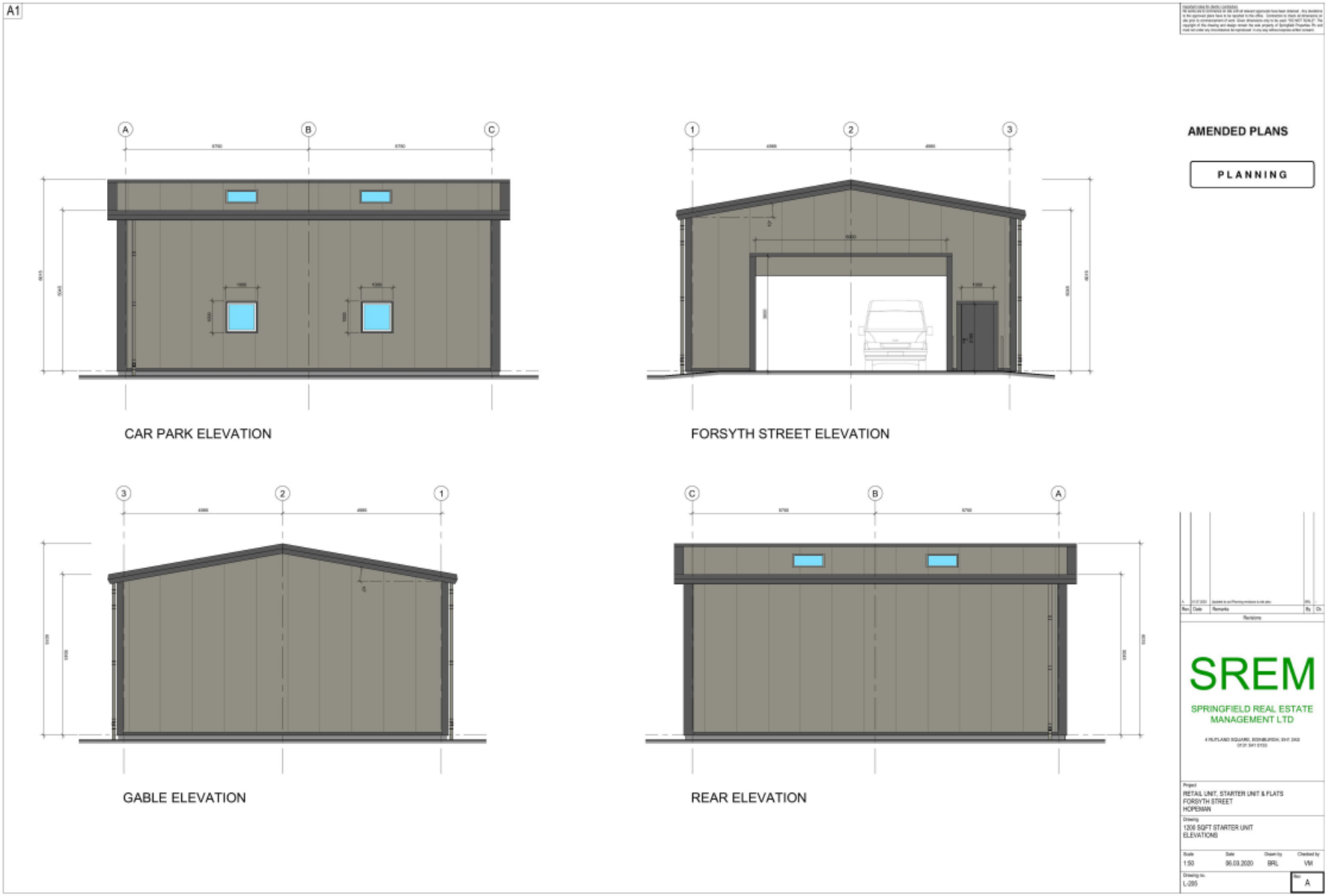
3
4
5
AMENDED PLANS
PLANNING
FINISHES LEGEND:
KINGSPAN KINGZIP KS1000 STANDING SEAM ROOF PANELS. COLOUR OF PANELS & FLASHINGS: RAL 7035.
NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.
CAITHNESS STONE FEATURE TO EXTERNAL WALLS.
CAR PARK/ SERVICE YARD ELEVATION
A
B
C
D
GABLE ELEVATION
SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN
4000 SQFT RETAIL UNIT
ELEVATIONS
SHEET 2
1:50
21.02.2020
BRL
VM
L-107
A


A1
AMENDED PLANS
PLANNING
STARTER UNIT
FLOOR AREA = 111m² / 1200sqft
UNHEATED
SECTIONAL OVERHEAD DOOR
ROOF LIGHT OVER
MOE
GROUND FLOOR PLAN
ROOF PLAN
SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN
1200 SQFT STARTER UNIT
FLOOR & ROOF PLANS
1:50
06.03.2020
BRL
VM
L-282
A


A1
AMENDED PLANS
PLANNING
CAR PARK ELEVATION
FORSYTH STREET ELEVATION
GABLE ELEVATION
REAR ELEVATION
SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN
1306 SQFT STARTER UNIT
ELEVATIONS
1:50
06.03.2020
BRL
VM
L-285
A

Appendix D Environmental sound survey

Details of environmental sound survey

D.1 Measurements of the sound pressure levels at the site were undertaken between 12.30 hours on Friday 21st August and 12:30 hours on Monday 24th August 2020.

D.2 The sound level meters were programmed to record the A-weighted L_{eq}, L_{90}, L_{10} and L_{max} noise indices for consecutive 15-minute sample periods for the duration of the survey.

Measurement position

D.3 Unattended measurements were made at position L1 shown in **Appendix B**. The meter was secured to a lamp column with the microphone approximately 3m above the ground.

D.4 In accordance with BS 7445-2:1991 *'Description and measurement of environmental noise – Part 2: Guide to the acquisition of data pertinent to land use'*, the measurements were undertaken under free-field conditions.

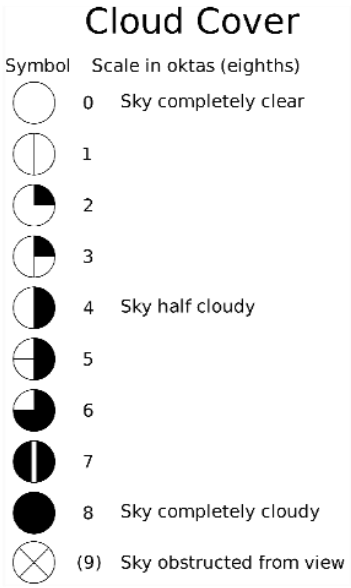
Equipment

D.5 Details of the equipment used during the survey are provided in the table below. The sound level meter was calibrated before and after the survey; no significant change (+/-0.2 dB) in the calibration level was noted.

Location	Description	Model / serial no.	Calibration date	Calibration certificate no.
L1	Class 1 Sound level meter	Svantek 977 / 36190	16/07/2020	TCRT20/1383
	Condenser microphone	ACO Pacific 7052E / 57366		
	Preamplifier	Svantek SV12L / 41504		
	Calibrator	Svantek SV33A / 73430	15/07/2020	TCRT/1380

Weather Conditions

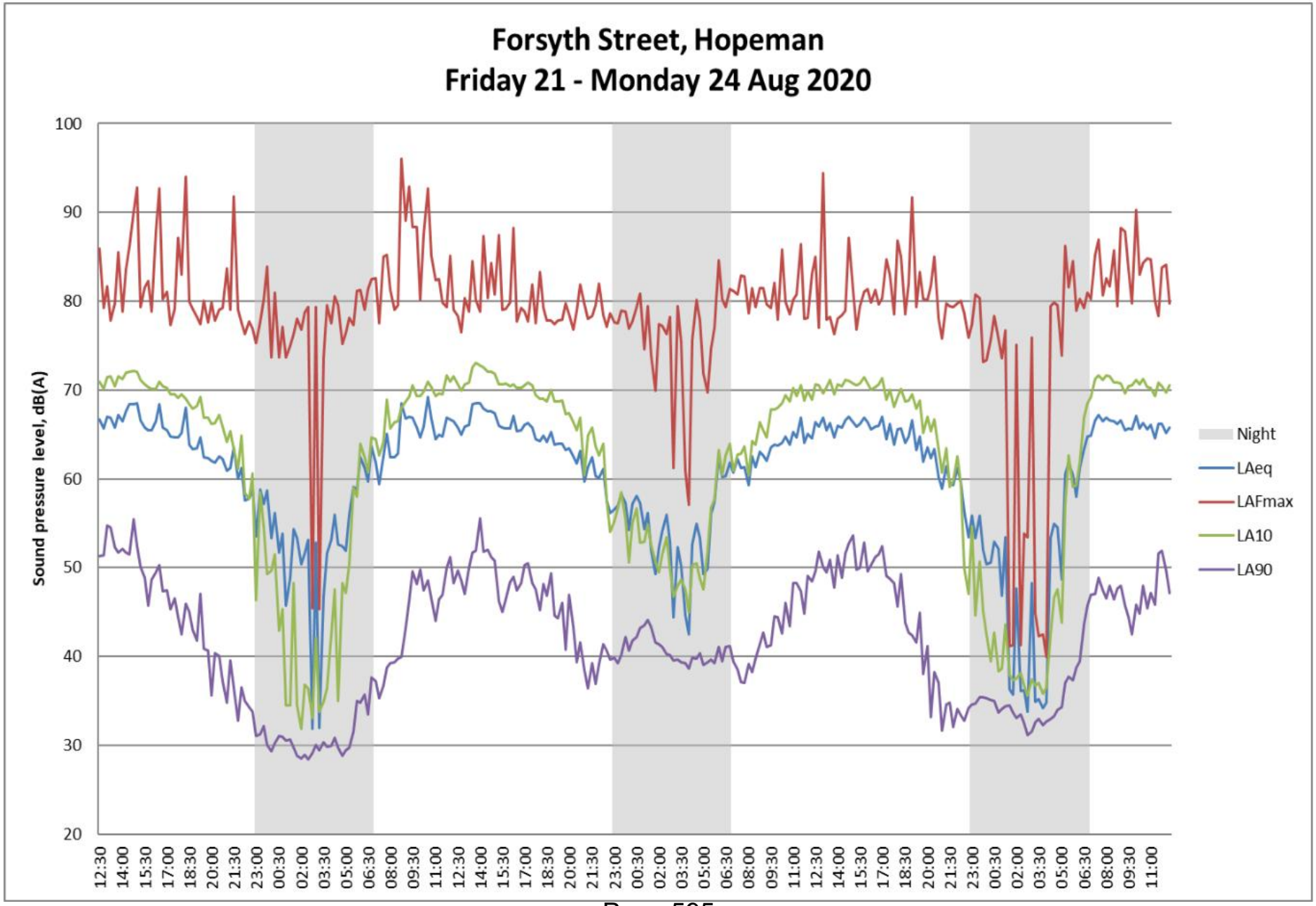
D.6 Weather conditions were determined both at the start and on completion of the survey. It is considered that the meteorological conditions were appropriate for environmental noise measurements. The table below presents the weather conditions recorded on site at the beginning and end of the survey.

Weather Conditions				
Measurement Location	**Date/Time**	**Description**	**Beginning of Survey**	**End of Survey**
As indicated on Appendix B	12:30 21 Aug 2020-12:30 24 Aug 2020	Temperature (°C)	17	14
		Precipitation:	Light	No
		Cloud cover (oktas - see guide)	6	2
		Presence of fog/snow/ice	No	No
		Presence of damp roads/wet ground	No	No
		Wind Speed (m/s)	2	1
		Wind Direction	NW	NW
		Conditions that may cause temperature inversion (i.e. calm nights with no cloud)	No	No

Results and observations

D.7 The noise climate at the measurement position was dominated by local road traffic, including buses, with aircraft from RAF Lossiemouth occasionally audible.

D.8 The results of the unattended survey are presented in a time history graph overleaf.


Forsyth Street, Hopeman
Friday 21 - Monday 24 Aug 2020
Sound pressure level, dB(A)
100
90
80
70
60
50
40
30
20
12:30
14:00
15:30
17:00
18:30
20:00
21:30
23:00
00:30
02:00
03:30
05:00
06:30
08:00
09:30
11:00
Night
LAeq
LAFmax
LA10
LA90

Appendix E Delivery noise calculations

Receptor R2

Activity	Measured noise levels		Correction for no. of occurrences		Distance correction		Resultant SEL at receptor (dB)	Resultant L_{Amax} at receptor (dB)
	SEL @ 10m	L_{Amax} @10m	No. of occurrences	Correction (dB)	Distance (m)	Correction (dB)		
Lorry arrival	68	62	1	0	14	-3	65	59
Unloading cages on to lift	71	74	10	10	14	-3	78	71
Unloading pallets on to lift	75	73	10	10	14	-3	82	70
Lift up	73	65	10	10	14	-3	80	62
Lift down	71	71	10	10	14	-3	78	68
Trollies moved from lorry to store entrance	78	75	10	10	14	-3	85	72
Lorry departure	75	68	1	0	14	-3	72	65
						Cumulative SEL:	89	
						$L_{Aeq\ (1\ hour)}$:	53	
						Range of L_{Amax}:		59-72

Appendix F Noise from industrial starter unit

Noise break-out to Receptor R2

Reference		dB(A)	Notes
Noise level at operator's ear, dB(A)	Sander	97	
Reverberant field correction within workshop, dB		-5	Based on workshop dimensions
On-time correction	30min / hour	-3	Worst-case operation in noisiest hour
Reverberant sound pressure level within workshop, dB(A)	$L_{Aeq, 1hr}$	89	
Sound reduction of building envelope, dB R_w		-20	Typical roller shutter / sectional door
Wall area correction, dB	$22m^2$	+13	Door 6m x 3.6m
Inside-outside correction, dB		-6	
Sound power level of building envelope, dB(A)		76	
Distance correction to receiver, dB	25m	-39	Nearest windows with a view of the door
Resultant workshop noise level at receptor, dB(A)		37	

Noise break-out to Receptor R3

Reference		dB(A)	Notes
Noise level at operator's ear, dB(A)	Sander	97	
Reverberant field correction within workshop, dB		-5	Based on workshop dimensions
On-time correction	30min / hour	-3	Worst-case operation in noisiest hour
Reverberant sound pressure level within workshop, dB(A)	$L_{Aeq, 1hr}$	89	
Sound reduction of building envelope, dB R_w		-30	Typical for lightweight cladding
Wall area correction, dB	100m^2	+20	Two elevations visible from receptor
Inside-outside correction, dB		-6	
Sound power level of building envelope, dB(A)		73	
Distance correction to receiver, dB	14m	-34	
Resultant workshop noise level at receptor, dB(A)		39	

NORTH
PLANNING & DEVELOPMENT

North Planning & Development
2nd Floor
Tay House
300 Bath Street
Glasgow G2 4JR

06 November 2020

Moray Council
Planning Department

Dear Sir/Madam

PLANNING APPLICATION 20/00474/APP

DEMOLISH EXISTING SERVICE STATION AND GARAGE AND ERECT RETAIL UNIT, LIGHT INDUSTRIAL UNIT AND 2 NO. BLOCKS OF RESIDENTIAL FLATS AT HOPEMAN SERVICE STATION, FORSYTH STREET, HOPEMAN

Springfield Real Estate Management Ltd have instructed North Planning Development to review and respond to the Bidwells Further Comments relative to the above application, as provided by email on the 3rd November 2020.

As set out in our earlier Retail Planning Statement and letter of 18th September 2020, one of the most important considerations in this matter is the lack of any town centre within Hopeman or any of the other towns in the catchment area of the proposed new retail store, as that establishes a position where there is no planning policy that affords primacy to existing stores and/or that requires other sites within the catchment to be considered in the manner of a sequential assessment.

Notwithstanding that, the suggestion made by Bidwells, that evidence should be provided of other sites having been considered, indicates that the principle of retail development in Hopeman is considered acceptable, otherwise why ask for other sites to be considered. That the Forsyth Street site is not in their opinion the "optimum" is not material to the consideration of the Springfield application.

Bidwells also refer to the 2020 LDP and Hopeman Caravan Park "being capable of providing ancillary services to appropriate tourist development including uses such as a shop in the village". Whilst it is unclear if capacity, impact and/or sequential assessments were carried out to support this statement in the LDP, it does nevertheless indicate that the Council is supportive of additional retail provision within Hopeman.

Our Retail Planning Statement defines a catchment area – which has not been questioned – and we demonstrated that there is convenience goods expenditure of at least 4.85m within the Hopeman catchment, not accounting for tourist expenditure that likely occurs, and also that the existing shops in the town have a combined average turnover of 1.38m. Setting aside the fact that none of the existing stores are within a town centre, we nevertheless applied 1.38M of expenditure to these stores, and that leaves at least 3.47m remaining. Most of tht 3.47M likely currently leaks from the catchment to larger stores in Elgin and/or Forres, with consequent car trips and carbon impacts, linked trips benefits to those locations and jobs being supported there rather than in Hopeman. The

remaining □3.47M of expenditure is available for drawing back to the catchment, and as the proposed retail store is predicted to have a turnover □2M there is at least □1.47M of expenditure still available with the proposed store in place.

With regards to the comments made by Bidwells about the Floorspace Split we would reiterate that the intended occupier of the proposed retail unit is the Co-op, and in our capacity as planning consultant acting for the Co-op acting across Scotland we know that 70/30 is a typical floorspace split across all new Co-op units. This is supported by the Co-op store at Lhanbryde – also in Moray Council area – with the committee report for that application (ref. 15/02252/APP) confirming the sales/trading space in that store is 189 sqm and the back of house/storage is 86sqm, which equates to a 69□/31□ split, which is essentially 70/30. The Bidwells assertion that this floorspace split is low and not representative is not supported by this local, recent, and directly comparable or any other evidence.

The Bidwells Further Comments say that it is "difficult to make direct comparisons to the Co-op application in Lhanbryde", but we cannot agree with this as there are several relevant and straightforward comparisons to make between the two, and we set these out in detail in our earlier letter. By way of summary, the Lhanbryde Co-op is an equivalent size of store to that now proposed in Hopeman, in a town with similar population, where there is no town centre designation, and with a broadly similar existing number of shops. The Lhanbryde Co-op now exists and trades alongside the previously existing shops without any closures having resulted. These comparisons and provide compelling evidence to support the case we have made for permission to be granted for an equivalent new Co-op convenience retail store in Hopeman.

I trust that the content of this letter and earlier submissions will be considered by the Council when determining this application.

Yours sincerely

David Campbell MRTPI
Director
North Planning & Development

david@northplan.co.uk
T. 0141 212 2627

DRUMMOND BLACK CONSULTING LTD

Springfield Real Estate Management (SREM) Ltd.

Proposed Mixed Use Development
Forsyth Street, Hopeman

Combined Stage 1 & 2 Road Safety Audit

Report No. D00041 – RSA2

4 Kempston Place
South Queensferry
Edinburgh,
EH30 9QW

Date: 18 January 2021

drummondblack.co.uk

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Client:	SREM
Job Number:	D00041
File Origin:	C:\DBC Projects\D00041 - Forsyth Street, Hopeman\Reports\Forsyth St Hopeman RSA St1_2 (For Issue).docx

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Contributor		Initialled:	
Review By	Kevin Nicholson	Initialled:	KN

Issue	Date	Status	Checked for Issue
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Appendices

Appendix A – List of drawings/documents provided
Appendix B – Location plan of problems identified

1 Introduction

1.1 This report results from a Combined Stage 1 & Stage 2 Road Safety Audit carried out on the proposed mixed-use development on the south side of Forsyth Street, Hopeman at the request of Springfield Real Estate Management (SREM) Ltd. on behalf of The Moray Council (TMC) as the Overseeing Organisation. The project comprises of a simple priority junction access (to replace the existing 2 former garage forecourt accesses) to access parking for 2 retail units and 8 residential apartments. As part of the proposal a crossing will be provided across Forsyth Street.

1.2 The scope of the Road Safety Audit is to review the access junction and internal layout of the proposed scheme.

1.3 A road safety audit brief was provided by SREM in the form of an instructional email containing design drawings, street engineering review and a Transport Statement. It is not general practice of TMC to approve the audit brief and audit team prior to an audit, however the audit is considered acceptable, so long as qualification criteria and process of national standard has been followed. The Audit Team accepted the brief.

1.4 This site is a former Garage/Petrol Filling Station. Forsyth Street is a long straight road subject to a 30-mph limit with footways and street lighting on both sides of the street at the location of the site. There is a bus stop directly opposite the site (eastbound) and westbound bus stops either side of the site.

1.5 An initial investigation of collision history of the location shows no collisions in the past 5 years in the immediate vicinity of the site.

1.6 The audit was carried out by the following:

Audit Team Leader

Richard Pearson BSc (Hons) CMILT MCIHT MSoRSA
HE Approved Certificate of Competency
Director, Drummond Black Consulting Ltd.
Edinburgh

Audit Team Member

Kevin Nicholson BSc CMaths MCIHT FSoRSA
HE Approved Certificate of Competency
Director, Nicholson Sloan Consultancy Limited

1.7 The audit took place during January 2021 and comprised of a desk top study of the plans and reports provided, which are listed in **Appendix A.** A site visit was also carried out at 12 noon on the 13th January 2021. The site visit was carried out by the Audit Team Leader alone as a result of COVID restrictions in place. At the time of the site visit it was overcast and the road surface was damp from earlier rain. Traffic was light.

1.8 The terms of reference of the audit are generally as described in DMRB Volume 5 Section 2 GG119 (Rev 2) "Road Safety Audit". As this standard is primarily focused on the strategic road network and TMC does not have its own standard, the Audit Team has followed guidance from the CIHT Guidelines for Road Safety Audit on implementing the standard as appropriate to this scheme. The points not followed in particular are the approval of audit team and brief (See para. 1.3) and the Audit Team deals directly with the Design Team and not the Overseeing Organisation.

1.9 The team has examined and reported only on the road safety implications of the scheme and has not examined or verified the compliance of the design to any other criteria. Reference may be made to certain design standards however this report is not intended to provide a design check. The team has examined and reported only on the road safety implications of the chosen design. No attempt has been made to comment on the justification of the scheme or the appropriateness of the design. Consequently, the Auditors accept no responsibility for the design or the construction of the scheme.

1.10 All of the problems described in this report are considered by the audit team to require action in order to improve the safety of the scheme and minimise the likelihood of a collision. The location of the site and the locations of any specific problems are referenced on the plans in **Appendix B**.

2 Items Raised at Previous Road Safety Audits

2.1 The Audit Team has not been advised of any previous Road Safety Audits on this scheme.

3 Items Raised at this Combined Stage 1 & Stage 2 Road Safety Audit

NON-MOTORISED USERS

3.1 PROBLEM

Location: Proposed crossing facilities.

Summary: The absence of dropped kerbs and tactile paving could lead to pedestrians tripping and falling or being struck by vehicles.

Dropped kerbs and tactile paving are not shown with the proposed crossing facilities. Notwithstanding that the Local Highway Authority may have a policy to install dropped facilities only in areas of heavy pedestrian traffic, if these are not provided, wheelchair users could attempt to cross and find themselves stranded in the carriageway on the exit side, increasing the risk of collisions and of overturning. Visually impaired pedestrians could be confused as to where to cross, again increasing the risk of trips or of conflicts with vehicles.

RECOMMENDATION

It is recommended that dropped kerbs and tactile paving are provided at the crossing facilities.

3.2 PROBLEM

Location: Proposed Disabled parking.

Summary: Absence of dropped kerbs at disabled parking bays.

No kerbing details are shown on the design to indicate the location of the proposed dropped kerbs. It is not clear if a dropped kerb is to be provided adjacent to the disabled parking bays within the car park. The absence of dropped kerbs to assist mobility impaired users to gain access to the footway could be hazardous and result in trip and fall accidents as well as a risk of wheelchair users overturning.

RECOMMENDATION

It is recommended that dropped kerbs are provided adjacent to the disabled parking bays.

3.3 PROBLEM

Location: Westbound bus stops on Forsyth Street.

Summary: Absence of footway connections to westbound bus stops.

There is currently no direct footway connection to either of the westbound bus stops. The absence of provision could result in pedestrians walling on the carriageway or on the grass verge, risking being struck by a vehicle or risking trip and fall accidents.

Figure 1: Route to westbound bus stops

RECOMMENDATION

It is recommended that a direct footway connection is provided. It is understood that TMC have plans for a footway to the west of the site. The design team should discuss this with them and ensure this co-ordinates with the development proposals.

3.4 PROBLEM (read in conjunction with 3.5 below)

Location: Proposed crossing facilities on Forsyth Street.

Summary: Insufficient detail of proposed crossing.

The drawings (and Transport Statement) specify the provision of zebra crossing facilities, however, the drawings do not include full details of the required beacons and road markings for these types of crossing. The absence of markings and beacons can result in drivers failing to stop and colliding with pedestrians. The absence of zig-zag markings could also result in parking in close proximity of the crossing, restricting visibility.

RECOMMENDATION

It is recommended that the crossing is designed with the full markings and beacons as required for these crossing types.

3.5 PROBLEM (read in conjunction with 3.4 above)

Location: Proposed crossing facilities on the development access road.

Summary: The location of the crossing could increase the risk of collisions.

The Transport Statement and drawings identify a Zebra crossing for the access road. If this in installed to full specification, motorists will be obliged to give way to pedestrians once they have established precedence by stepping on to the crossing. This could result in drivers of long turning vehicles braking suddenly and overhanging the carriageway on Forsyth Street, with the attendant risk of collisions involving westbound vehicles.

RECOMMENDATION

It is recommended that the crossing point is installed as an informal facility.

3.6 PROBLEM

Location: Proposed Forsyth Street crossing.

Summary: Potential collisions with pedestrians and manoeuvring vehicles.

The proposed zebra crossing in close proximity to the access to the 4 parking bays could potentially create a risk of collisions between pedestrians and manoeuvring vehicles. The Audit Team are particularly concerned where vehicles may be reversing out of spaces where they could collide with pedestrians either on the crossing or on the footway. Visibility for these drivers may also be restricted by the wall to the east of the parking bays.

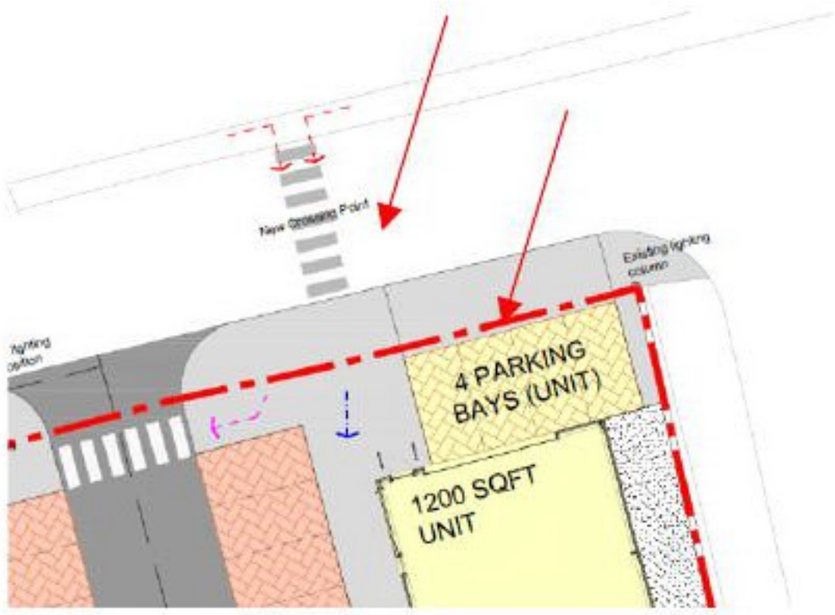

Figure 2: Parking Bays

RECOMMENDATION

It is recommended that the parking bays are moved directly adjacent to the carriageway with the footway behind. It is also recommended the crossing be relocated slightly east to allow space for a reversing car to not encroach onto the crossing point.

SIGNING, ROAD MARKINGS & LIGHTING

3.7 PROBLEM

Location: Proposed access and crossing on Forsyth Street

Summary: Increase in use and lack of junction and crossing warning signs could result in a variety of collision types at the crossing/ access junction.

As the junction proposals will facilitate an increase in use and with the introduction of a new controlled crossing, there is likely to be an increase in traffic turning into the access from Forsyth Street. With drivers not expecting this increase in turning movements, this could result in motorists following too close and with some hesitation, could result in rear shunt type collisions. In addition to this, drivers may not expect this level of traffic to emerge from the minor arm access. This could increase risk of side impact collisions. The introduction of the crossing with the absence of warning signs could increase risk of rear shunt collisions or vehicles overshooting the crossing and colliding with pedestrians.

RECOMMENDATION

It is recommended that advanced junction warning signs are provided on both approaches to the junction and crossing. A “New Road Layout Ahead sign” would appear to be the most appropriate.

4 Audit Team Statement

4.1 We certify that the terms of reference of the audit are generally in accordance with GG119 and additional guidance set out in CIHT guidelines for Road Safety Audit.

Audit Team Leader

Richard Pearson BSc (Hons) CMILT MCIHT MSoRSA
HE Approved Certificate of Competency
Director, Drummond Black Consulting Ltd.
Signed:

[redacted]

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Date: 18 January 2021

Audit Team Member

Kevin Nicholson BSc CMaths MCIHT FSoRSA
HE Approved Certificate of Competency
Director, Nicholson Sloan Consultancy Limited.

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Hayton
Brampton
Cumbria
CA8 9HT

Signed:

[redacted]

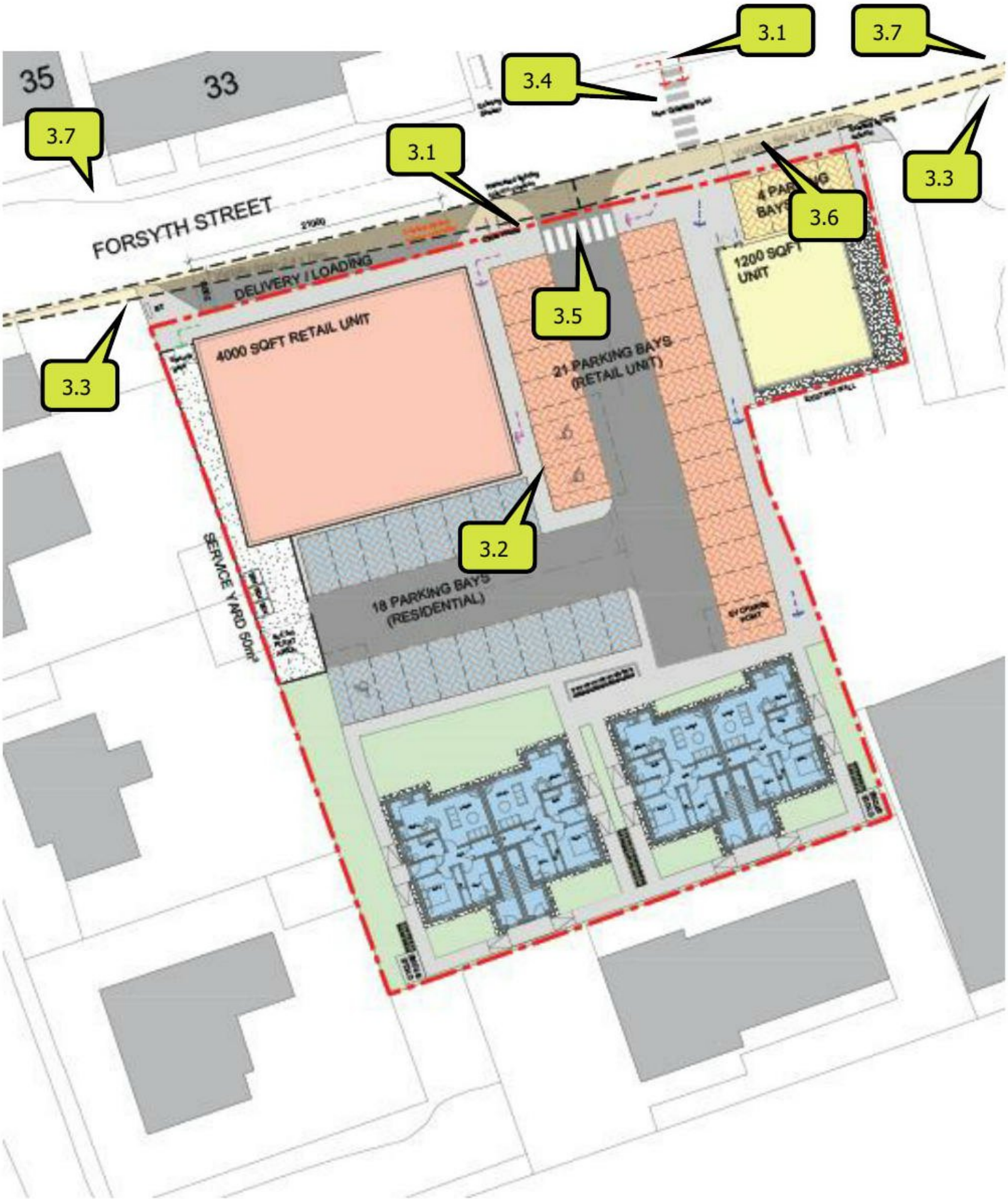
Date: 18 January 2021

Appendix A – List of drawings/documents provided

List of Drawings and Documents Provided

Doc. No.	Doc Title
20044	Transport Statement
L001	Location Plan
L003-D	Proposed Site Plan
10045-301-B	Levels Layout
N/A	Street Engineering Review (August 2020) – Containing detailed drawings

Appendix B – Location plan of problems identified


35
33
FORSYTH STREET
DELIVERY / LOADING
4000 SQFT RETAIL UNIT
21 PARKING BAYS (RETAIL UNIT)
1200 SQFT UNIT
18 PARKING BAYS (RESIDENTIAL)
SERVICE YARD 50m²
3.1
3.2
3.3
3.4
3.5
3.6
3.7

Hopeman Service Station(20/00474/APP)

Response to Transportation comments dated 6 January 2021

Road Safety

This response should be read in conjunction with the Combined Stage 1 & 2 Road Safety Audit, Report No. D00041 – RSA2 dated 18 January 2021, prepared by Drummond Black Consultants Limited.

Drawing 20044-005 submitted as part of this response which indicates a visibility splay of 2.4 x 43m with the envelope out with 3rd party land. The visibility splay is taken from the Scottish Government document Designing Streets which clearly indicates on page 4 that this document should apply within urban areas. The visibility splay is also consistent with that applied to the recently approved residential development on Forsyth Street.

ECS drawings 20044-06 & 20044-07, submitted with this response, indicate that the visibility splay from the proposed access with a rigid and articulated vehicle, respectively. The drawings confirm that a 2.4m x 43m visibility splay can still be achieved to the oncoming traffic lane which ensures that adequate visibility can be maintained during delivery times.

The existing wall adjacent to the starter unit is approximately 2.8m from the existing channel line and is below 1.05m for a further 2.5m. We are not aware of this being an issue for the existing neighbouring access.

Footpath width between retail unit and service lay-by has been increased to 2m.

Pedestrian crossing at the site access has been deleted and is not required given the estimated pedestrian and vehicle generation.

The building standards require a minimum access width of 1200mm if serving not more than 10 dwellings. All proposed private footpath widths are above the minimum requirement. The footpaths are not through routes and will only serve the residential aspect of the development which is estimated to generate a maximum of 2 pedestrians during the worst-case peak hour as indicated in the supporting Transport Statement. Therefore, it is evident that the proposed footway provision is adequate to serve the anticipated demand.

The proposed cycle hoops have now been relocated as indicated on the revised planning layout.

The zebra crossing on Forsyth Street has been removed as this is not required and recent guidance from Transport Scotland indicates that zebra crossings are not a preferred form of controlled crossing. The zebra crossing has been replaced by 2 dropped kerb crossings on either side of the retail store which will serve the pedestrian desire lines from both the east and west. These are located on the Eastern side of the access and at the North-West corner of the development.

Servicing

Frontage layby servicing arrangements have been approved and accepted on other Coop retail sites within the Moray area. These have been subject to an agreed Delivery Management Plan being required through conditions attached to the planning approval. The Coop are prepared to accept similar conditions for this development. The Delivery Management Plan is an establish method used

by them throughout Scotland and can be programmed to avoid peak times. The delivery times for this store will be short duration.

As stated in our previous response there are a number of instances along the length of Forsyth Street of on street parking at junctions and private driveways which do not appear to be problematic and the submitted accident data would support this.

Drawing 1002/A is submitted indicating the tracking for the recommended refuse collection vehicle.

Drainage

Proposed drainage layout, 10045 – 201C, is submitted as part of this response.

Parking and EV Charging

The parking bay size of 2.4m x 4.8m is a recognised and accepted design for off street private parking and is used by the Coop throughout its stores in Scotland.

As stated in previous submissions although the gross footprint is 371m2 there is a proportionately greater Back of House area of 139m2 leaving a retail floor area of 232m2. Taking the nett sales floor area into consideration we would request flexibility within the standards in regard to parking provision and hope an acceptable level of parking can be agreed.

The Coop have also confirmed that due to the short stay nature of convenience stores, the average stay being 6 minutes, they do not need a higher number of parking spaces.

In relation to the Rapid Charger for electric vehicle spaces we are agreeable to the specification being covered under condition.

The 3no. cycle stands have been relocated adjacent to the starter unit.

Fast EV charging points have been indicated for the 8no. residential properties.

Cycle stores are indicated on the layout and we are agreeable to the design and detail of the stores being covered under condition.

The current occupant of the existing garage will be relocating to the starter unit. Our understanding is that he will garage and maintain his own private vehicles from this facility. Provision for an EVCP has been indicated at one of the bays and a disabled bay has been shown.

We would like to note that the application was validated on 4 May 2020 with the parking levels being designed to the guidelines in place at that time. The layout is now being assessed against the current guidelines adopted on 27 July 2020 which require a greater level of residential parking leading to a shortfall in the retail parking. We would request that this factor is taken into consideration by the planning authority when assessing the development in parking terms.

Neil Donaghy.

SREM

SPRINGFIELD REAL ESTATE
MANAGEMENT LTD

Street Engineering Review (SER)

Forsyth Street

Hopeman

Revision A

February 2021

Street Engineering Review (SER)

As detailed in the Designing for Streets Manual (Page 57) the SER should include:

– Vehicle tracking of layout
– Approval of key visibility splays
– Speed control
– Agreement of drainage discharge rates
– Agreement of SUDS techniques
– Schematic drainage layout for foul and surface water including dimension requirements against building and landscaping
– Key materials palette
– Utilities strategy

- **Vehicle Tracking of Layout** – refer to Vehicle Swept Path Layout Drawing NO. 110045/401 and 15424-1002 **(Appendix A).** The swept path analysis was checked for Refuse Vehicle and Fire Appliance vehicle types.

- **Approval of Visibility Splays** – refer to Site Layout Drawing No. L-003 **(Appendix B).** Visibility Splays have been added to the layout and meet the requirements of design criteria outlined in Designing for Streets/Moray Council guidelines.

- **Speed Control** – refer to Site Layout Drawing No. L-003 **(Appendix B).** The nature and size of this development meant it did not require any specific traffic calming. The parking access road will naturally provide traffic calming.

- **Agreement of drainage discharge rates -** Refer to Drawing no. 10045/201 **(Appendix C).** The surface water will discharge into the existing swale and then eventually on to the existing off-site detention basin and swale to the east was previously constructed by Springfield Properties. The outfall from the site will connect into the existing swale before it reaches the detention basin. The greenfield run-off rate was calculated for the site using the HR Wallingford online greenfield estimation tool as being 0.54l/sec. Refer to the Drainage Impact Assessment Report for more information.

- **Drainage Layout** – refer to Drainage Layout Drawing NO. 10045/201 **(Appendix C)** Separate foul and surface water design of sewers.

  Surface Water - The surface water from the development will receive the following levels of treatment –

  - Residential Roofs – Existing Swale and Detention Basin off site
  - Commercial Roofs – Existing Swale and Detention Basin off site
  - Roads and Car Park – Porous Paving and Detention Basin

  All surface water drainage has been checked so that no properties flood during a 1 in 200 year flood event plus climate change.

  Foul Drainage – The foul drainage network is gravity fed and discharges into the existing foul sewer on Forsyth Street.

- **Key materials palette**
  Refer to Site Layout Drawing No. L-003 **(Appendix B).**

- **Utilities Strategy**
  All utilities will be below footways and service strips and will be to the depths as shown on the detail in the Road Construction Details Drawing, drawing no. 10045/302 **(Appendix D).**

  BT – Overhead BT cables that currently serve the existing garage will be removed. There may be an existing overhead BT cable serving the adjacent commercial building crossing the site. This will be diverted as required following consultation with BT. Refer to the drawing no. 10045/501 (**Appendix E)** detailing the existing BT information.

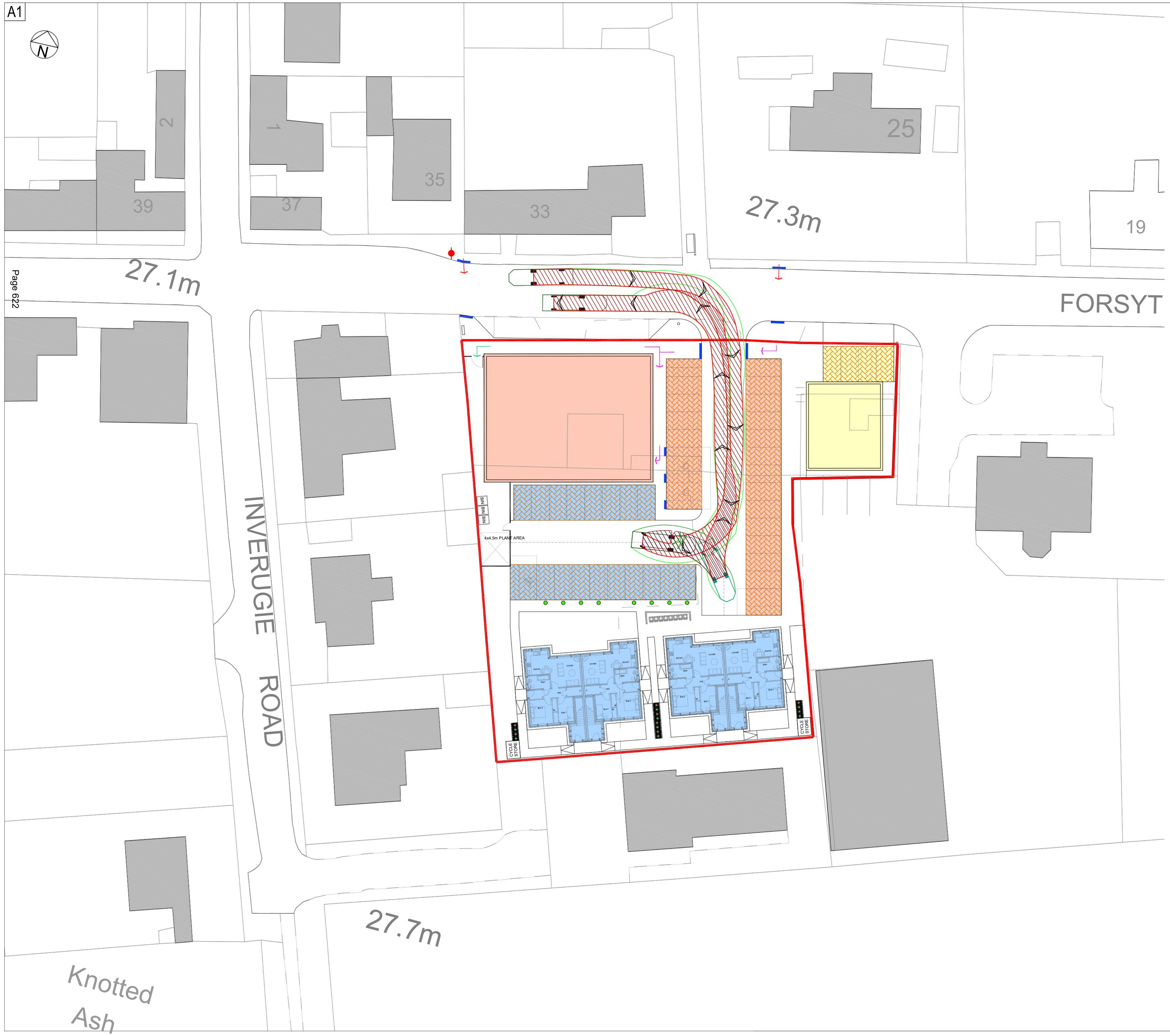
  Electricity – There is currently a LV electricity supply for the garage which will be disconnected/removed. An electricity design will be carried out by the chosen supplier on receipt of the quotations in due course. The record plans are shown in **Appendix E**.

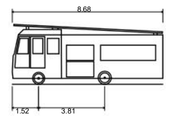
  Water – There is an existing 8" water main in the near side footpath adjacent to the site. A water design will be carried out by an approved designer and will be approved by Scottish Water in sue course. The record plans are shown in **Appendix E.**

  Street Lighting – There is an existing street lighting column locate in front of the development which will have to be locally relocated to accommodate a new lay-by. An indicative street lighting design is shown on Drawing No. 10045/502 **(Appendix E)**. A detailed design will be carried out by a street lighting designer to ensure that the commercial and residential properties are suitably lit.

APPENDIX A

A1





DB32 Fire Appliance	
Overall Length	8.680m
Overall Width	2.180m
Overall Body Height	3.452m
Min Body Ground Clearance	0.337m
Max Track Width	2.121m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	7.910m

NOTES:

1. SITE MEASUREMENTS OR VEHICLE TRACKING SHOULD BE ASSESSED ON A LARGE SCALE ENGINEERING TOPOGRAPHICAL SURVEY OR ARCHITECTS PRECISION LAYOUTS TO VERIFY THAT ADEQUATE CLEARANCES CAN BE ACHIEVED.

LEGEND

- WHEEL TRACKED PATHWAY
- VEHICLE OUTLINE/ENVELOPE
- REVERSE TRAVEL
- WHEEL TRACKED PATHWAY
- VEHICLE OUTLINE/ENVELOPE
- ROAD KERBLINE
- VEHICLE OVER-RUN
- VEHICLE OVER-SAIL
- KERBLINE ADJUSTED

Important notes for clients / contractors
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PLANNING

Rev.	Date	Remarks	By	Ch.
B	05.02.21	Layout revised.	PD	
A	26.08.20	Layout revised.	PD	

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

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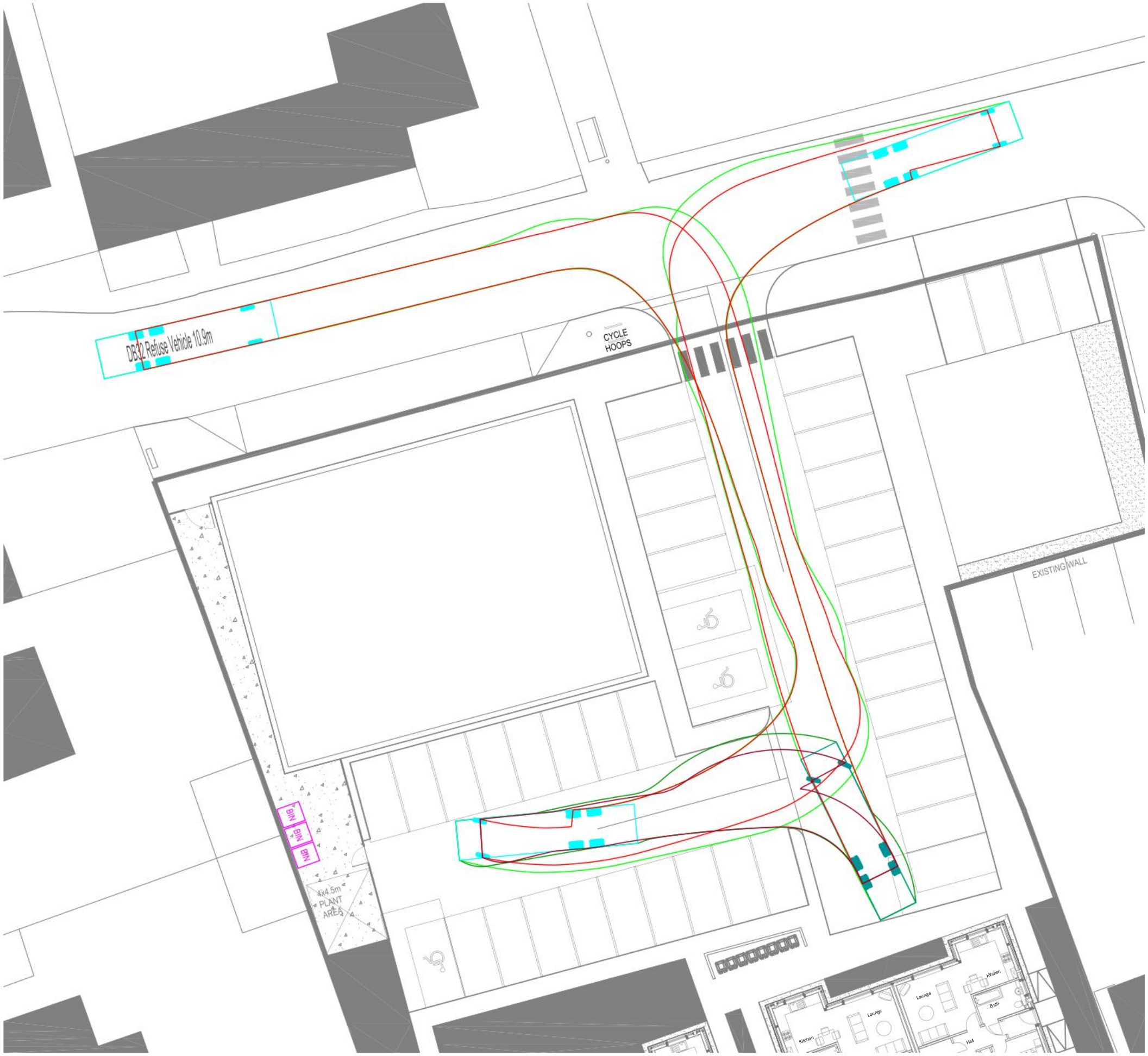
Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
VEHICLE SWEPT PATH

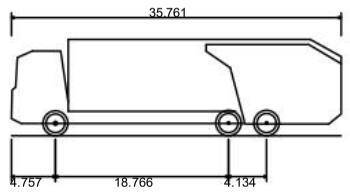
Scale	Date	Drawn by	Checked by
1:250	08.07.20	PD	

Drawing no.
10045-C-401

Rev
B



REFUSE VEHICLE ENTERING SITE, TURNING AND EXITING SITE
Scale 1:250



DB32 Refuse Vehicle 10.9m	
Overall Length	10.900m
Overall Width	2.400m
Overall Body Height	3.185m
Min Body Ground Clearance	0.390m
Max Track Width	2.400m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	9.625m

Revision	Date	By	Comments
A	25.01.21	FM	Analysis updated to show 10.9m long refuse vehicle

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Client
SREM LTD.

Project
RETAIL UNIT, STARTER UNIT & FLATS AT FORSYTH STREET, HOPEMAN, ELGIN

Title
REFUSE VEHICLE SWEPT PATH ANALYSIS

Drawn By MJ Checked By RM	Date 19.08.20
Status REVIEW	Scale at A3 1:250

Project No.	Drawing No.	Rev.
15424	1002	A

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APPENDIX B

A1

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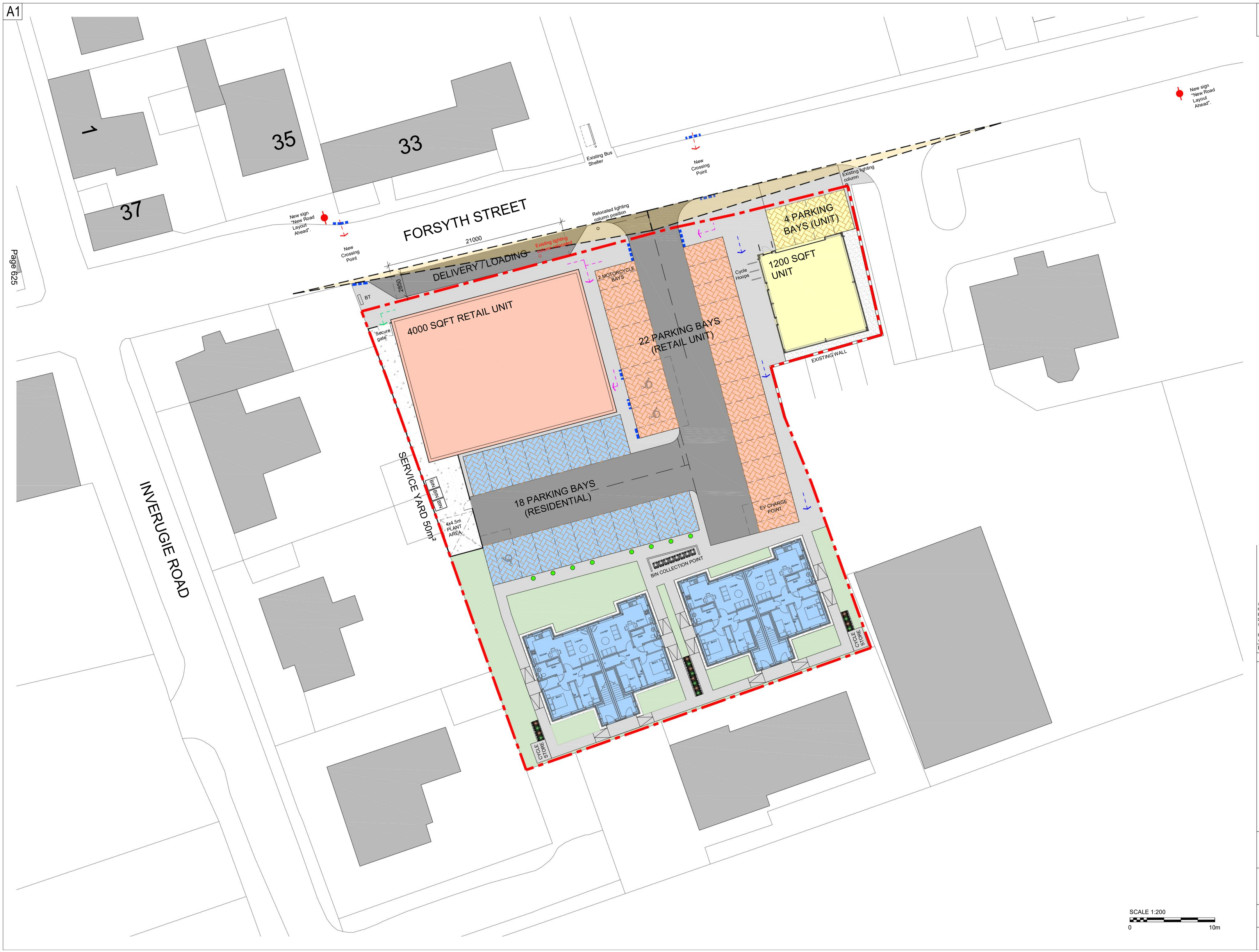

N

PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2693m² / 0.67 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOCK PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.
- PEDESTRIAN ACCESS TO RETAIL/ RESIDENTIAL.
- PEDESTRIAN ACCESS TO RETAIL ONLY.
- PEDESTRIAN ACCESS TO RESIDENTIAL ONLY.
- SERVICE YARD / DELIVERY ACCESS.
- DROPPED KERB WITH TACTILE PAVING.
- NEW ROAD SIGN - "NEW ROAD LAYOUT AHEAD".
- POTENTIAL EV CHARGE POINT FOR FLATS.

SCALE 1:200
0 10m

Rev.	Date	Remarks	By	Ch.
G	03.02.2021	Footpath widened on Forsyth Street.	BRL	-
F	27.01.2021	Road safety audit & Planning updates.	BRL	-
E	31.08.2020	Motorcycle bays and bin collection note added.	BRL	-
D	21.08.2020	Loading bay extended. Pedestrian routes updated.	BRL	-
C	18.08.2020	Parking reconfigured & footpath to east boundary added to suit Planning feedback.	BRL	-
B	03.07.2020	Amendments to suit topo.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

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0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

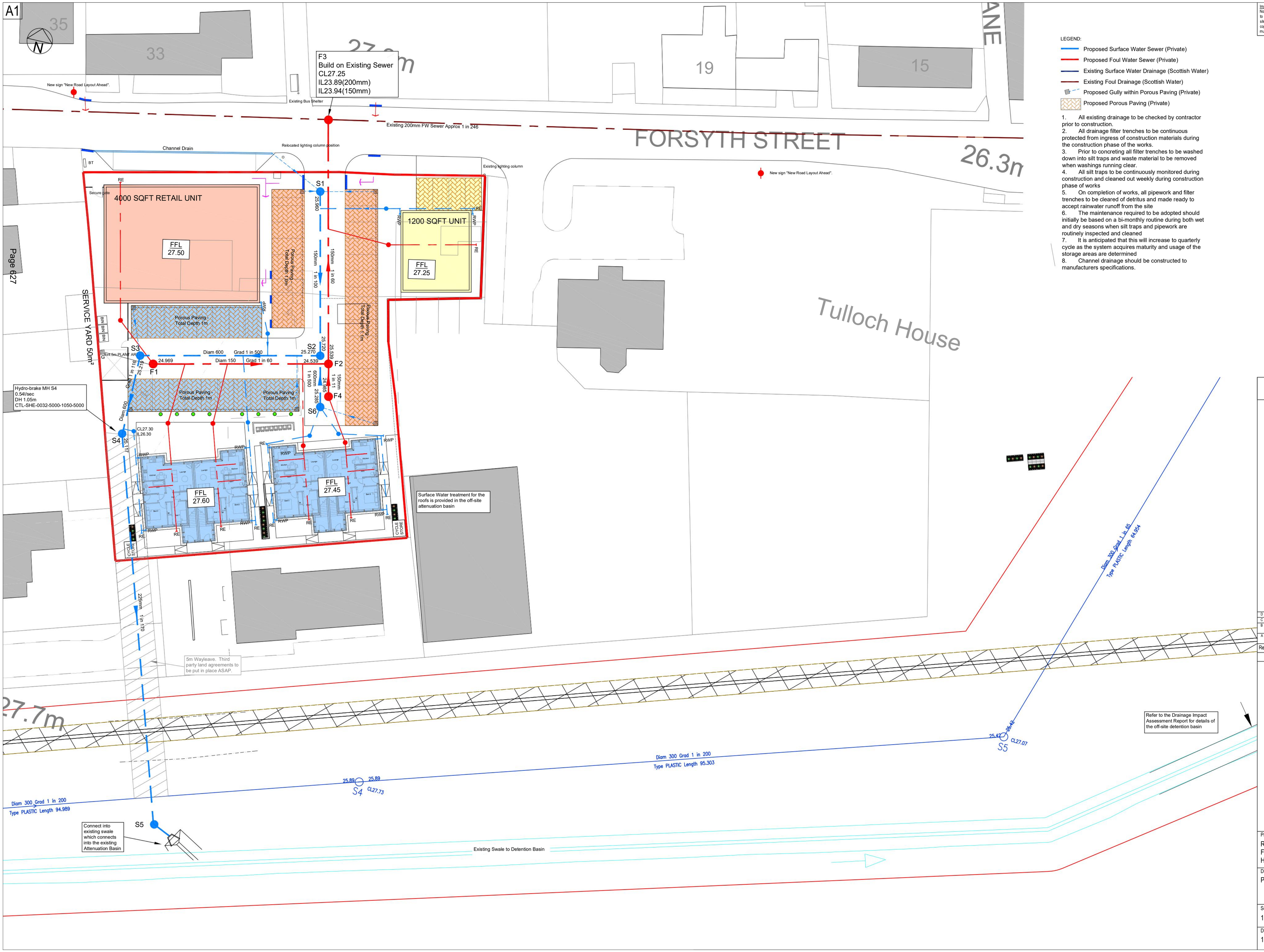
Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM

Drawing no. L-003

Rev G

APPENDIX C

A1



Important notes for clients / contractors
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LEGEND:

- Proposed Surface Water Sewer (Private)
- Proposed Foul Water Sewer (Private)
- Existing Surface Water Drainage (Scottish Water)
- Existing Foul Drainage (Scottish Water)
- Proposed Gully within Porous Paving (Private)
- Proposed Porous Paving (Private)

1. All existing drainage to be checked by contractor prior to construction.
2. All drainage filter trenches to be continuous protected from ingress of construction materials during the construction phase of the works.
3. Prior to concreting all filter trenches to be washed down into silt traps and waste material to be removed when washings running clear.
4. All silt traps to be continuously monitored during construction and cleaned out weekly during construction phase of works
5. On completion of works, all pipework and filter trenches to be cleared of detritus and made ready to accept rainwater runoff from the site
6. The maintenance required to be adopted should initially be based on a bi-monthly routine during both wet and dry seasons when silt traps and pipework are routinely inspected and cleaned
7. It is anticipated that this will increase to quarterly cycle as the system acquires maturity and usage of the storage areas are determined
8. Channel drainage should be constructed to manufacturers specifications.

PLANNING

Rev.	Date	Remarks	By	Ch.
D	05.02.21	Layout revised. Channel drain added at loading bay.	PD	
C	26.08.20	Layout revised.	PD	
B	16.06.20	Surface Water outfall amended to connect to existing swale. Invert levels amended.	PD	
A	03.04.20	Surface Water outfall amended to exit through the rear properties land. Wayleave required.	PD	

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

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0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED DRAINAGE LAYOUT

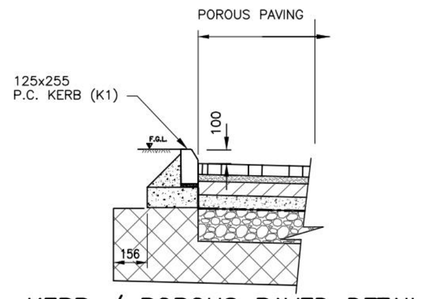
Scale	Date	Drawn by	Checked by
1:250	26.03.20	PD	

Drawing no.
10045-C-201

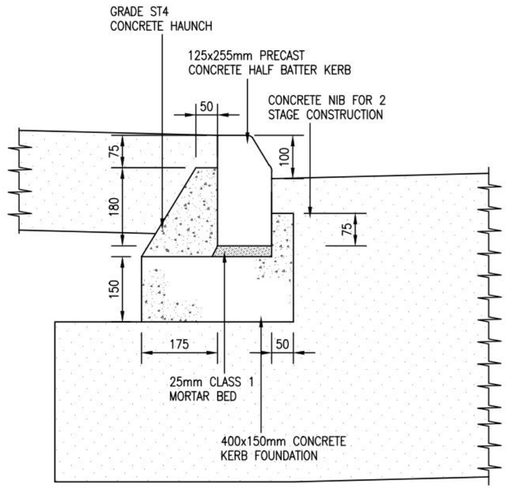
Rev
D

APPENDIX D

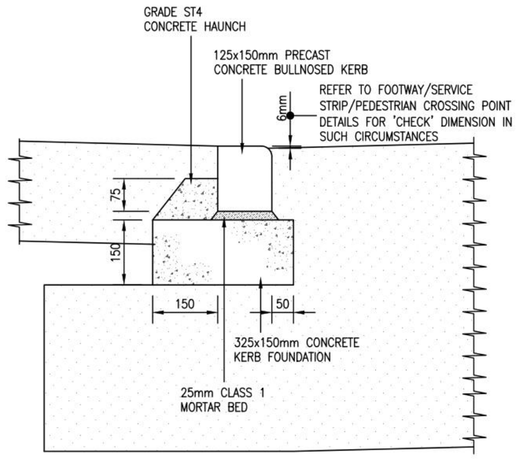
A1



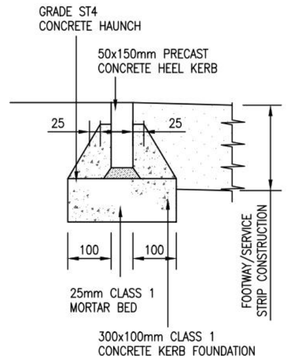
KERB / POROUS PAVED DETAIL



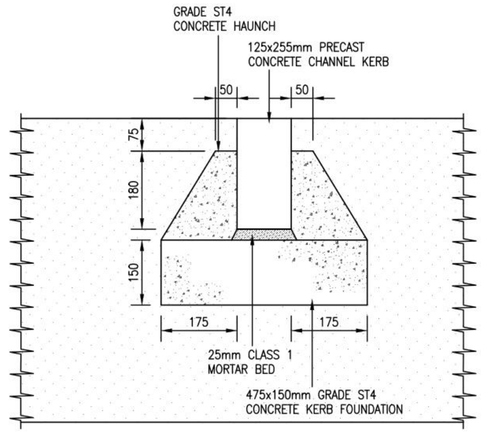
KERB TYPE K1 – 100mm UPSTAND
1:10



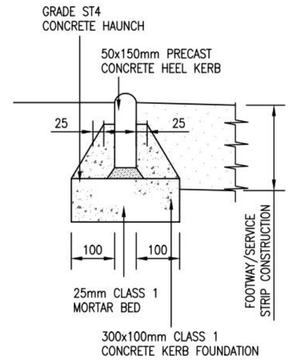
KERB TYPE K3 – DROP KERB DETAIL
1:10



KERB TYPE K4 – EDGING KERB
1:10



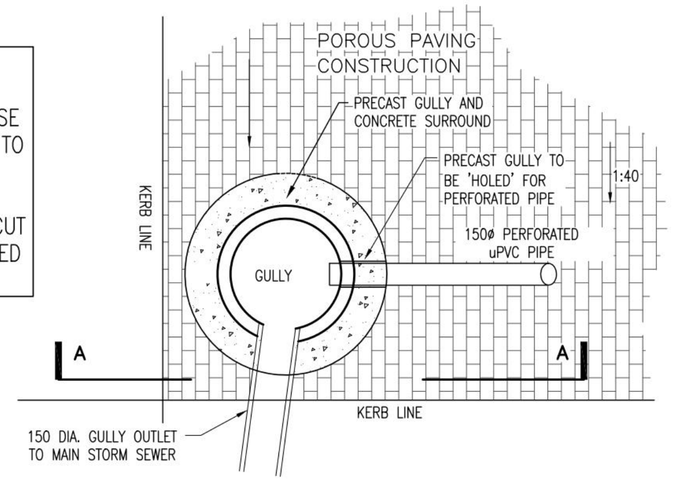
KERB TYPE K5 – CHANNEL KERB
1:10



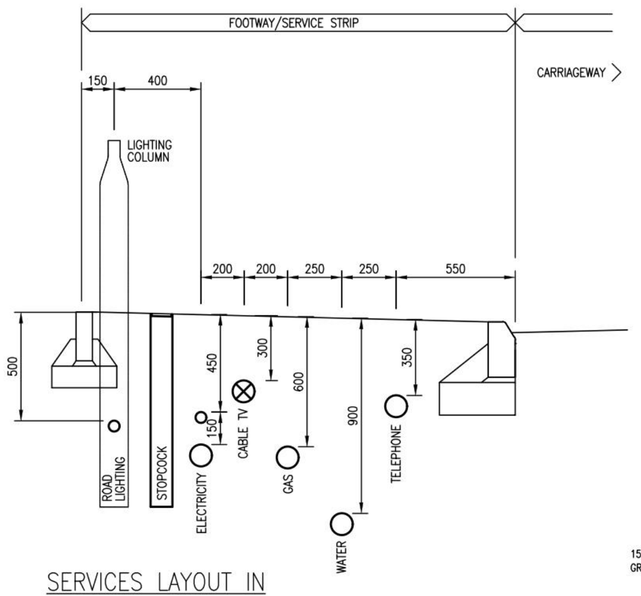
KERB TYPE K6 – EDGING KERB (round top)
1:10

POROUS PAVIOR CONSTRUCTION NOTE:

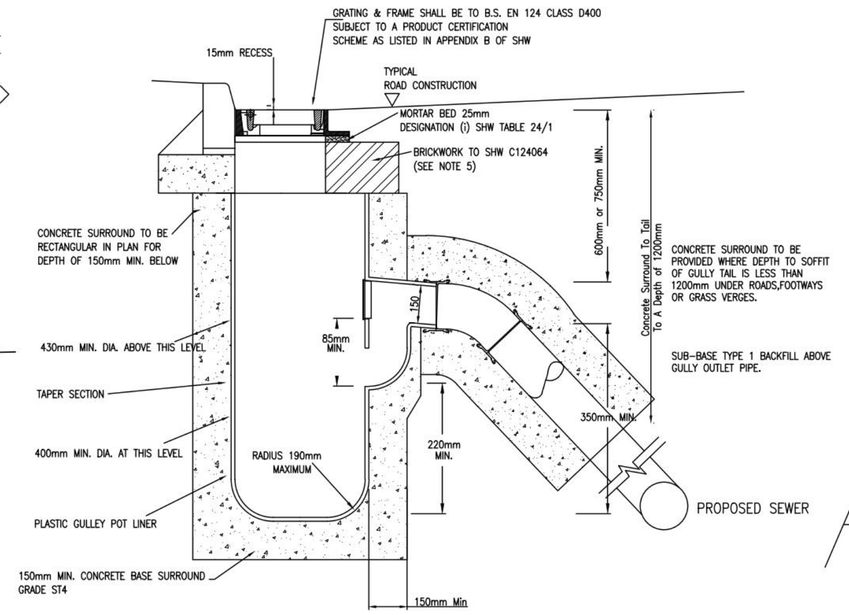
THE DBM LAYER IS REQUIRED FOR PROTECTION TO PERMEABLE SUB-BASE PRIOR TO LAYING OF BLOCKS AND LAYING COURSE. IMMEDIATELY PRIOR TO LAYING BLOCKS, DBM SURFACE TO BE CLEANED THEN DRILLED WITH 100mmø HOLES AT 1m CENTRES. HOLES TO BE FILLED WITH 2-6mm AGGREGATE AS PER LAYING COURSE. HOLES TO BE DRILLED OR CORE CUT IN AREAS OF POROUS BLOCK PAVING ONLY. ROAD NOT TO BE TRAFFICKED BY CONSTRUCTION VEHICLES AFTER BLOCKS HAVE BEEN LAID.



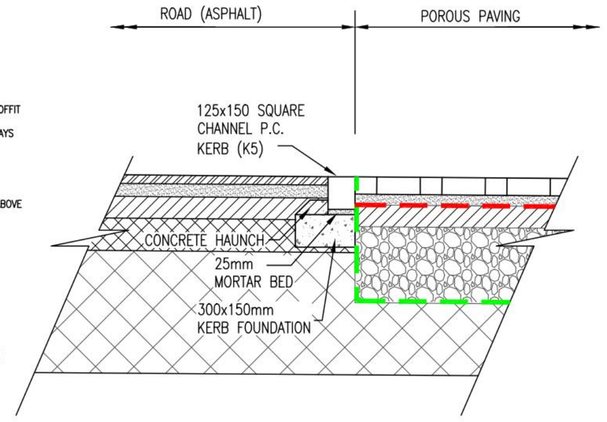
TYPICAL DETAIL AT POROUS PAVING DRAINAGE OUTLET
1:20



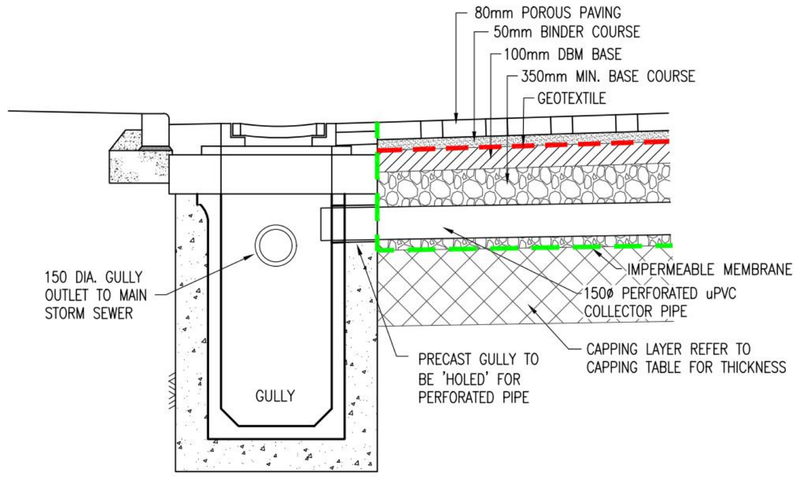
SERVICES LAYOUT IN FOOTWAY/SERVICE STRIP DETAIL
1:20



ROAD GULLY DETAIL
1:20

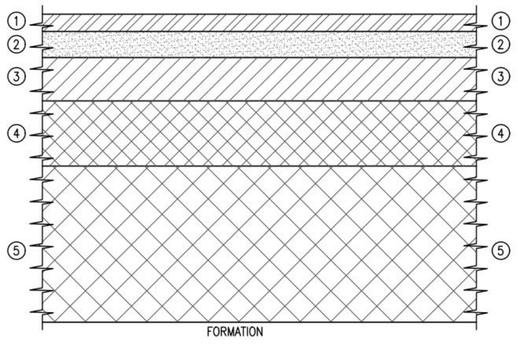


JUNCTION BETWEEN ASPHALT ROAD AND POROUS PAVING PARKING
1:20



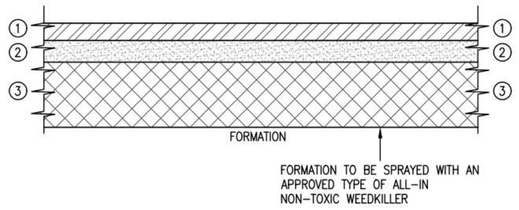
SECTION A–A
1:20

CONSTRUCTION SPECIFICATION			
LAYER	THICKNESS (mm)	DESCRIPTION	CLAUSE
1. WEARING COURSE (SURFACE COURSE)	45	ASPHALT SURFACE COURSE	911
2. BASE COURSE (BINDER COURSE)	55	DENSE BITUMEN MACADAM	906
3. ROAD-BASE (BASE)	80	ROAD BASE	906
4. SUB-BASE	REFER TO SUB-BASE & CAPPING REQUIREMENT TABLE	TYPE 1	803
5. CAPPING		TYPE 1	803

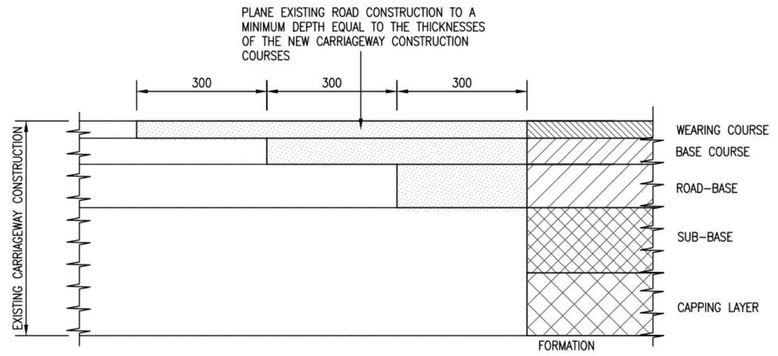


ASPHALT CARRIAGEWAY CONSTRUCTION DETAIL
1:10

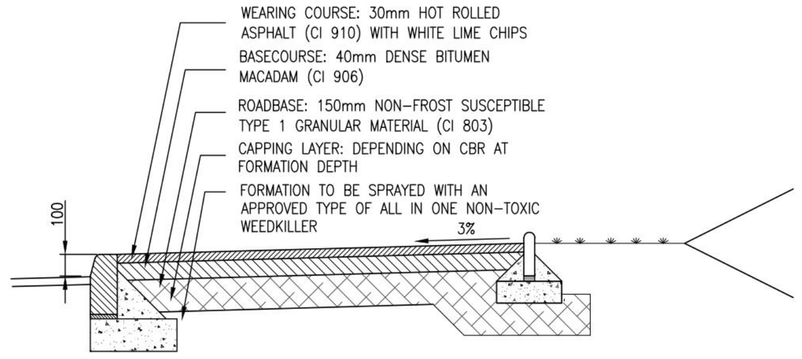
CONSTRUCTION SPECIFICATION			
LAYER	THICKNESS (mm)	DESCRIPTION	CLAUSE
1. WEARING COURSE (SURFACE COURSE)	30	HOT ROLLED ASPHALT	910
2. BASE COURSE (BINDER COURSE)	40	DENSE BITUMEN MACADAM	906
3. ROAD-BASE (BASE)	150	TYPE 1	803



FOOTWAY CONSTRUCTION DETAIL
1:10



NEW TO EXISTING CARRIAGEWAY TIE–IN DETAIL
1:10



TYPICAL FOOTWAY CONSTRUCTION (TARMAC)
1:20

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ROAD CONSTRUCTION NOTES

1. ALL ROAD DESIGNS SHOWN ARE ONLY RELEVANT FOR AREAS FALLING UNDER "NIXON CONSULTANT" REMIT. FOR ALL OTHER AREAS REFER TO ARCHITECT'S DRAWINGS.
2. ROAD CONSTRUCTION LAYER DEPTHS SHOULD BE DETERMINED USING SITE INVESTIGATION CBR RESULTS AND RECOMMENDATIONS. CBRs SHOULD BE INSITU TESTED AS AN ADDITIONAL CHECK. HOWEVER, INSITU CBR RESULTS SHOULD NOT BE USED FOR ROAD CONSTRUCTION DESIGN. SHOULD CBR RESULTS BE <15%, CAPPING AND SUB-BASE LAYERS SHOULD BE CONSTRUCTED FOLLOWING THE BELOW TABLE:

SUB-BASE & CAPPING REQUIREMENTS		
CBR VALUE	SUB-BASE DEPTH †	CAPPING DEPTH
≤2%	150mm	600mm
>2%≤5%	150mm	350mm
>5%≤15%	225mm	0mm
>15%	150mm	0mm

† SUB-BASE FIGURES NOT RELEVANT FOR PERMEABLE PAVING CONSTRUCTION

ANY DEVIATION FROM THE SHOWN MAKE-UPS WILL REQUIRE AGREEMENT WITH THE TRANSPORTATION DEPARTMENT.

TRAFFICKING OF THESE LAYERS BY CONSTRUCTION PLANT MAY REQUIRE AN INCREASED CONSTRUCTION SPECIFICATION. IN THIS INSTANCE A SUITABLE DESIGN SHOULD BE PROVIDED BY THE CONTRACTOR TO THE ENGINEER FOR COMMENT.

WHERE A CAPPING LAYER IS REQUIRED, IN-SITU CBR TESTS TO THE CAPPING SURFACE SHOULD BE CARRIED OUT TO ENSURE A MIN VALUE OF 15% IS ACHIEVED.

3. NON-FROST SUSCEPTIBLE MATERIAL TO BE 450mm MINIMUM DEPTH FROM THE FINAL SURFACE.
4. ALL SOFT SPOTS I.E PEAT, SOFT CLAYS, SATURATED SILTS, AND RUNNING SAND MUST BE REMOVED FROM THE CONSTRUCTION CORRIDORS AND REPLACED WITH SUITABLE COMPACTED MATERIAL.
5. ALL MATERIALS AND DEPTHS SPECIFIED ARE SUBJECT TO APPROVAL BY THE CLIENT.
6. TACTILE PAVING TO BE LAID ALIGNED WITH THE DIRECTION OF TRAVEL.
7. ALL KERB LINES LESS THAN 12m RADIUS SHALL BE CONSTRUCTED USING RADII KERBS.
8. ALL KERBING 90° INTERNAL OR EXTERNAL CHANGES IN DIRECTION SHALL BE FORMED USING STANDARD CORNER UNITS.

Rev.	Date	Remarks	By	Ch.

Revisions

SREM
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED CONSTRUCTION DETAILS

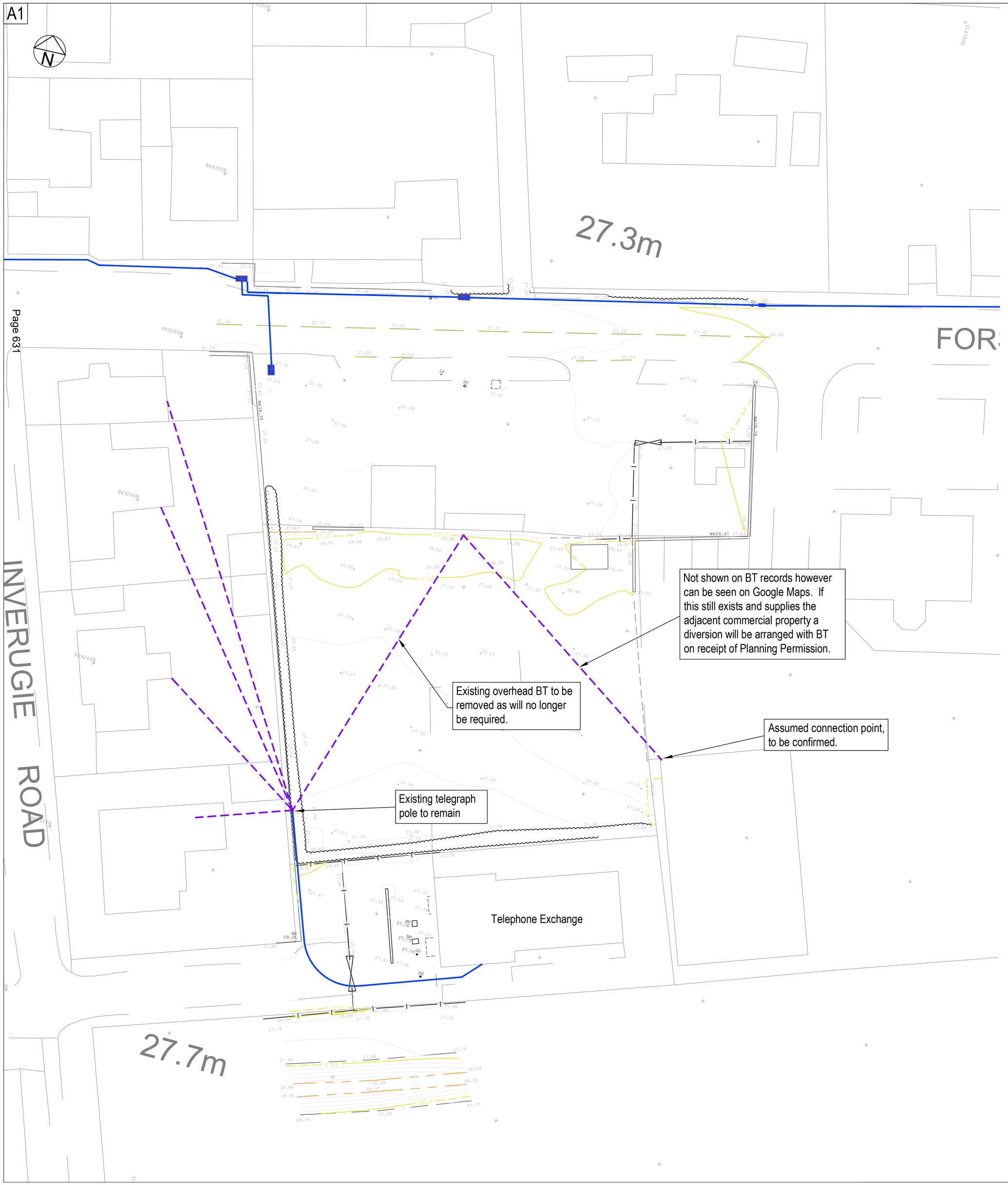
Scale	Date	Drawn by	Checked by
See Dwg	21.08.20	PD	

Drawing no.
10045-C-302

Rev

APPENDIX E

A1

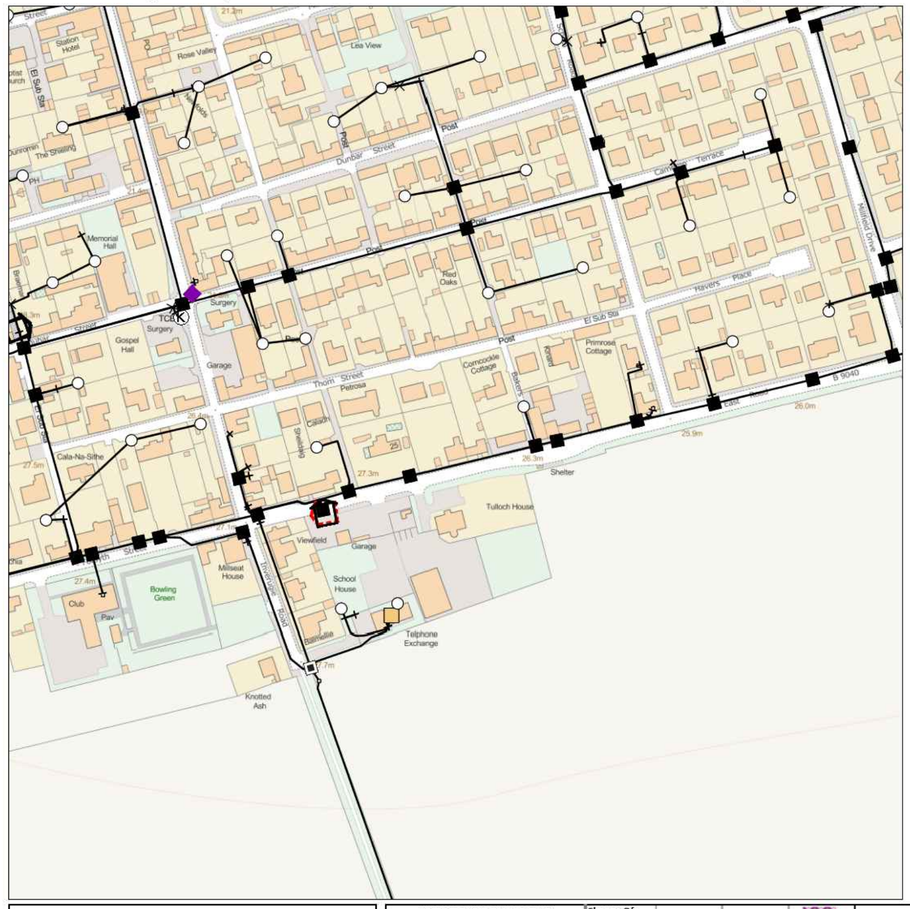


Page 631

Legend

- Existing Overhead BT
- Existing Underground BT
- Existing BT Junction Box

Maps by email Plant Information Reply



IMPORTANT WARNING

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy.
It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.

openreach

CLICK BEFORE YOU DIG
FOR PROFESSIONAL FREE ON SITE ASSISTANCE PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE
email cbyd@openreach.co.uk
ADVANCE NOTICE REQUIRED
(Office hours: Monday - Friday 08.00 to 17.00)
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KEY TO BT SYMBOLS

	Planned	Live				
			Change Of State	+	Hatchings	
			Split Coupling	×	Built	
PCP			Duct Tee	▲	Planned	
Pole			Building		Inferred	
Box			Kiosk	K	Duct	
Manhole						
Cabinet						

Other proposed plant is shown using dashed lines. BT Symbols not listed above may be disregarded. Existing BT Plant may not be recorded. Information valid at time of preparation. Maps are only valid for 90 days after the date of publication.

	Pending Add	In Place	Pending Remove	Not In Use
Power Cable				
Power Duct				N/A

BT Ref : SYX10185Z
Map Reference : (centre) NJ1479369316
Easting/Northing : (centre) 314793,869316
Issued : 24/09/2018 10:18:54

WARNING: IF PLANNED WORKS FALL INSIDE HATCHED AREA IT IS ESSENTIAL BEFORE PROCEEDING THAT YOU CONTACT THE NATIONAL NOTICE HANDLING CENTRE. PLEASE SEND E-MAIL TO: nnhc@openreach.co.uk

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PLANNING

Rev.	Date	Remarks	By	Ch.

Revisions

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0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
EXISTING BT APPARATUS

Scale	Date	Drawn by	Checked by
1:250	20.08.20	PD	

Drawing no.
10045-C-501

Rev

Maps by email Plant Information Reply

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KEY TO BT SYMBOLS

	Planned	Live
PCP		
Pole		
Box		
Manhole		
Cabinet		

Change Of State	+	Hatchings	
Split Coupling	×	Built	
Duct Tee	▲	Planned	
Building		Inferred	
Kiosk	K	Duct	

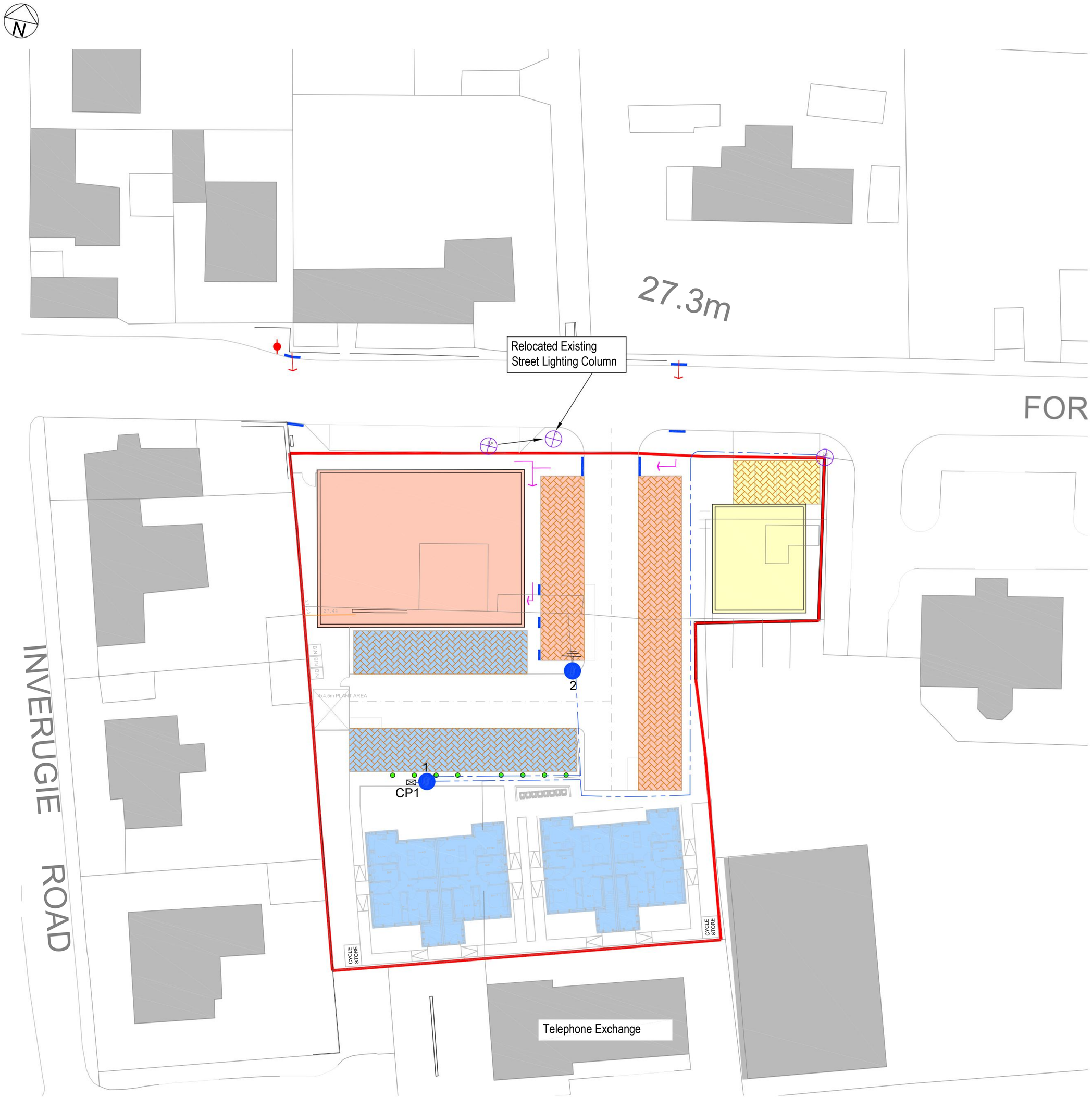
Other proposed plant is shown using dashed lines. BT Symbols not listed above may be disregarded. Existing BT Plant may not be recorded. Information valid at time of preparation. Maps are only valid for 90 days after the date of publication.

	Pending Add	In Place	Pending Remove	Not In Use
Power Cable				
Power Duct				N/A

BT Ref : SYX10185Z
Map Reference : (centre) NJ1479369316
Easting/Northing : (centre) 314793,869316
Issued : 24/09/2018 10:18:54

WARNING: IF PLANNED WORKS FALL INSIDE HATCHED AREA IT IS ESSENTIAL BEFORE PROCEEDING THAT YOU CONTACT THE NATIONAL NOTICE HANDLING CENTRE. PLEASE SEND E-MAIL TO: nnhc@openreach.co.uk

A1



Legend

- Existing Street Lighting Column
- Proposed 6m Lighting Column (to Moray Council Specification)
- CP1 Proposed Private Control Pillar

Street lighting design to be finalised by street lighting designer and approved by Moray Council.

Important notes for clients / contractors
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PLANNING

Rev.	Date	Remarks	By	Ch.
A	05.02.21	Layout revised	PD	

Revisions

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0131 541 0133

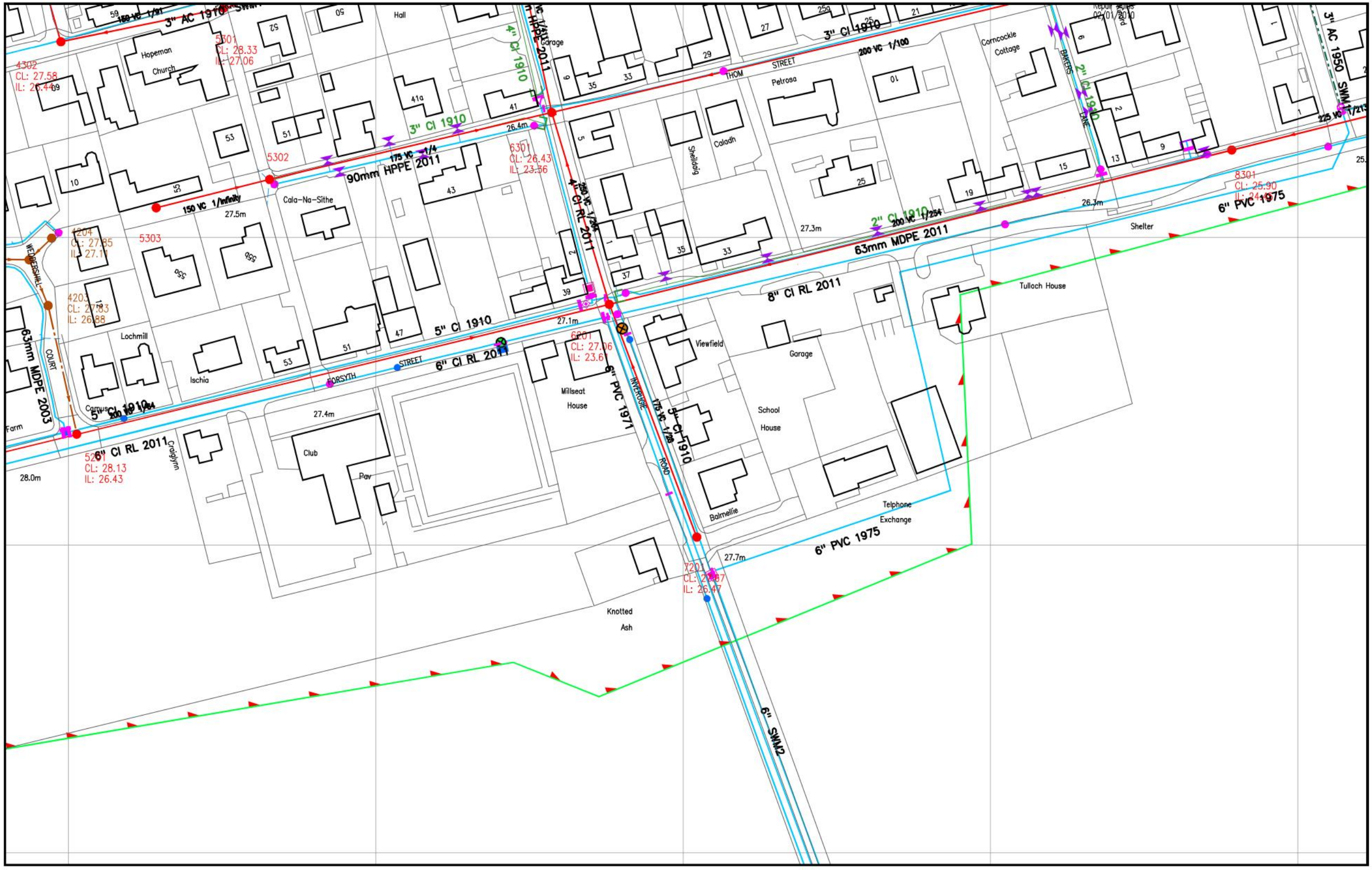
Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED & EXISTING STREET LIGHTING LAYOUT

Scale	Date	Drawn by	Checked by
1:250	20.08.20	PD	

Drawing no. 10045-C-502

Rev A



The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 25/03/2020

Forsyth Street

Hopeman

0 — 118 metres

Scale: 1:1250

Plotted By: spring01

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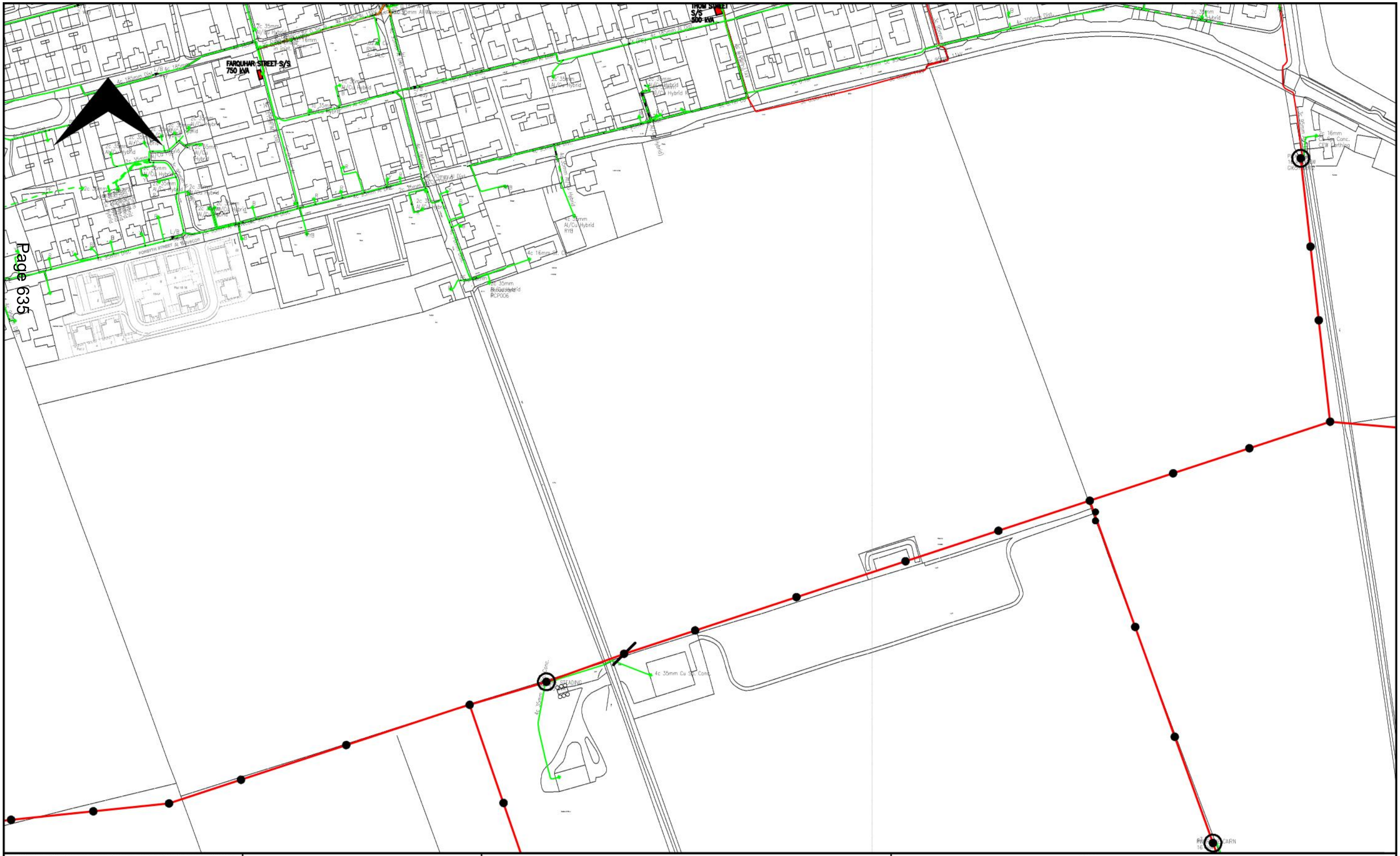
Scottish Water
Always serving Scotland
Castle House,
6 Castle Drive,
Dunfermline,
KY11 8GG
Tel No: 0845 601 8855



NORMAL DEPTH TO THE TOP OF THE CABLE WHEN LAID.				
	services l.v.	h.v.	e.h.v.	
FOOTPATH	0.40m	0.45m	0.60m	0.75m
ROAD CROSSING	0.60m	0.60m	0.75m	0.90m
l.v./services	– up to 1000V.			
h.v.	– over 1000V to 11,000V.			
e.h.v.	– 22,000V to 132,000V.			

WARNING

There may have been subsequent alterations to the surface levels. Trial holes must be taken to determine positions and depth of cables. HS (G) 47 Booklet from the Health and Safety Executive – Avoiding Danger from Buried Cables – should be consulted before commencing excavation work. (available from THE HSE)

WHEN WORKING IN THE VICINITY OF OVERHEAD LINES THE HEALTH AND SAFETY GUIDANCE NOTE GS6 SHOULD BE CONSULTED. (AVAILABLE FROM THE HSE)

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Scottish & Southern Electricity Networks

NORTH EAST DISTRICT
Tel: 01224 667200

Grid Ref: NJ14876909
Scale: 1:2500
Date: 21/02/2018
All Voltages

Drainage Impact Assessment

For

Saltire Business Parks Limited

Forsyth Street, Hopeman

10045/CIVIL/R001C

February 2021

Document History

Issue	Date	Purpose	Author	Checked
04	25/02/21	Rev C	PD	ND
03	15/02/21	Rev B	PD	ND

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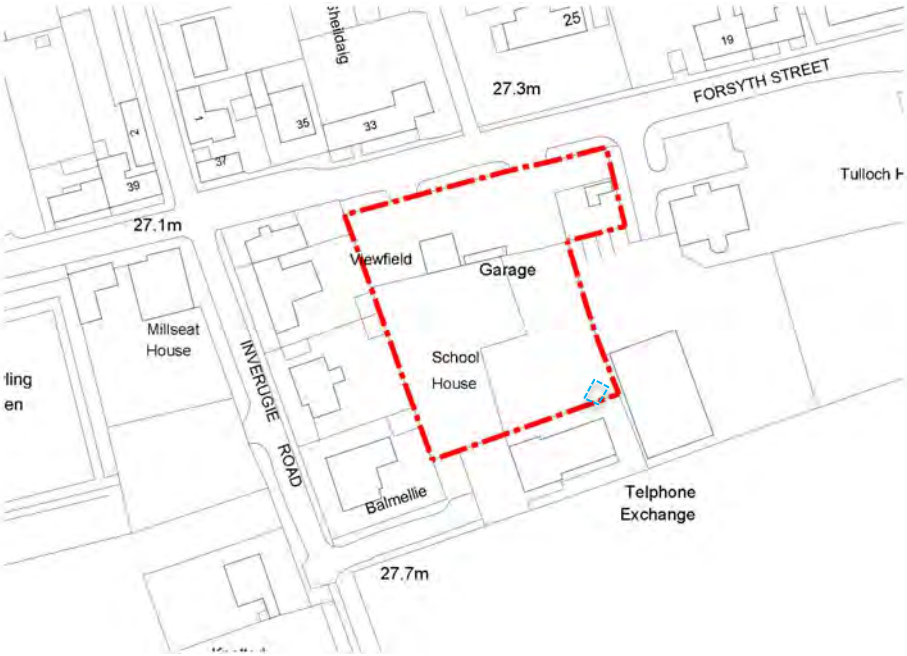
1 Introduction

1.1 Current Use and Introduction

This report is written to support the Planning Application to Moray Council for the Planning Application No. 20/00474/APP.



1.2 Development Proposals

This site is a former garage located on Forsyth Street in the centre of Hopeman. The proposals for the site consist of a retail unit, a starter unit and cottage flats. There will be associated roads, parking and landscaping.

Refer to **Appendix A** for the Site Layout.

1.3 Data Collection

The table below indicates the data that has been collected and used within this assessment and sets the basis of the proposed methodology. This will be reflected throughout the report.

Purpose	Data and Source
Hydrological Data	Flood Estimation Handbook (FEH-13)
Site Features	Site visit
Proposed Layout	Site Plan
Site Survey	Site Topographic Survey

2 Site Drainage Characteristics

2.1 Existing Drainage Infrastructure

There is an existing 200mm foul water sewer running from east to west directly in front of the site on Forsyth Street as shown on the Scottish Water record plans in **Appendix B**. There was no record of any Scottish Water surface water sewers within the immediate vicinity.

2.2 Existing Drainage Scheme

Springfield Properties constructed a Drainage Scheme to the south of this development in agricultural land as part of their development 200m west of the site and to assist with existing overland flow. The scheme involved the construction of a swale and detention basin. This development area was within the catchment area for this sheme. Details of the catchment areas and these works are shown in **Appendix C**.

3 Flood Risk

3.1 Scottish Planning Policy Requirements

SPP requires that –

"Infrastructure and Buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1 in 200 years)".

To achieve this, the drainage system will require either to contain such an event or the site should be designed such that any volumes leaving or not entering the system should be stored above ground or routed overland without flooding any new or existing buildings or infrastructure.

This enables compliance with the requirement that new developments do not increase the risk of surface water flooding on the site or elsewhere.

3.2 Development Drainage Modelling

Hydraulic modelling or detailed calculations should be undertaken as part of the detailed design process. This should be undertaken using industry standard modelling software such as WinDes, Flow or other recognised form of calculation. Note that Sewers for Scotland 4 (SfS4) advises that rainfall input data should be taken from the FEH.

Detailed modelling should include the following:

- Simulation for the 1 in 30 year storm event including an allowance of 35% for climate change without surcharging. No allowance was required for urban creep as the site is mainly hardstanding.
- Simulation for the 1 in 200 year storm event.

3.3 Assessment of Fluvial, Coastal and Pluvial Flood Risk

Due to site location, the development was not deemed to be at risk from coastal flooding or from fluvial flooding. The site is not at risk from pluvial flooding however areas near the site are shown to have been at risk. The site is outlined in red on the SEPA flood maps below.

Areas that may flood - All Likelihood

River
- High
- Medium
- Low

Surface Water
- High
- Medium
- Low

Coastal
- High
- Medium
- Low

4 Surface Water Drainage Proposals

4.1 Proposed Drainage Strategy including SUDS

The drainage strategy for the site access road, parking and roof surface water requires that the surface water is treated to a standard that satisfies the SEPA Simple Index Tool. The proposals for the site are to treat the surface water as listed below. The Simple Index Tool results are shown in **Appendix E**.

- Residential Roofs – Existing Swale and Detention Basin off site
- Commercial Roofs – Existing Swale and Detention Basin off site
- Roads and Car Park – Porous Paving and Detention Basin

The greenfield run-off rate was calculated for the site using the HR Wallingford online greenfield estimation tool as being **0.04l/sec**.

HR Wallingford recommend where the Q_{BAR} is less than 2l/sec then the flow rate should be calculated from 2l/sec/ha which would equate to **0.54 l/sec** (0.27ha x 2). See **Appendix F** for calculation.

We propose to use a Hydro-brake flow control device in MH S4 to restrict the flow to 0.54l/sec.

The porous paving depth of stone has been increased so that as well as providing at source treatment it also provides attenuation. We have also upsized pipes to provide the further attenuation.

The existing off site detention basin and swale to the east was previously constructed by Springfield Properties. The outfall from the site will connect into the existing swale before it reaches the detention basin.

The foul drainage will discharge into the existing 200mm combined sewer on Forsyth Street.

Refer to Appendix D for the Drainage Layout and Drainage Details.

4.2 Flow Drainage Software

The pipe network was added to the Flow software using the greenfield run-off rate. The 30yr and 1:200yr + 35% climate change storm events where run and confirmed that was no flooding within the network within these storm events.

Flow calculations can be found in **Appendix G**.

4.3 SEPA Consultation

SEPA were not required to be consulted for the site.

5 Maintenance Proposals

5.1 Maintenance

An operation and maintenance manual will be produced and will include -

- Location of all SUDS, i.e the porous paving
- Brief summary of design
- Depth of silt that will trigger requirement for removal
- Visual indicators that will trigger maintenance
- A Maintenance Plan
- An action plan for dealing with accidental spillages of pollutants

5.2 Maintenance Plan

The maintenance will come under 3 categories of

1. Regular Maintenance - leaf collection, litter collection, check that inlets and outlets are free of blockages etc
2. Occasional Maintenance - sediment removal
3. Remedial Maintenance – Jetting and brushing to remove clogging

It is vital that a maintenance record is kept of the inspections and maintenance work that has been carried out. This allows the response of the system to different regimes to be assessed in future.

6 Maintenance of Existing Drainage Scheme

6.1 Maintenance

The existing drainage scheme maintenance schedule is shown below. This was included in the Envirocentre report that formed part of this original approval.

Monthly maintenance	Half Yearly	As Required
Litter & debris removal	Grass cutting (spring and autumn)	Re-seed areas of poor vegetation growth.
Manage vegetation		Prune & trim trees
Inspect outlets and inlets from blockages.		Remove sediment from pre-treatment swale (when 50% full)
Inspect banksides, structures and pipework for damage.		Repair of any damages or blockages. Rehabilitation of any surfaces as required.

APPENDIX A

Site Layout

A1

Important notes for clients / contractors
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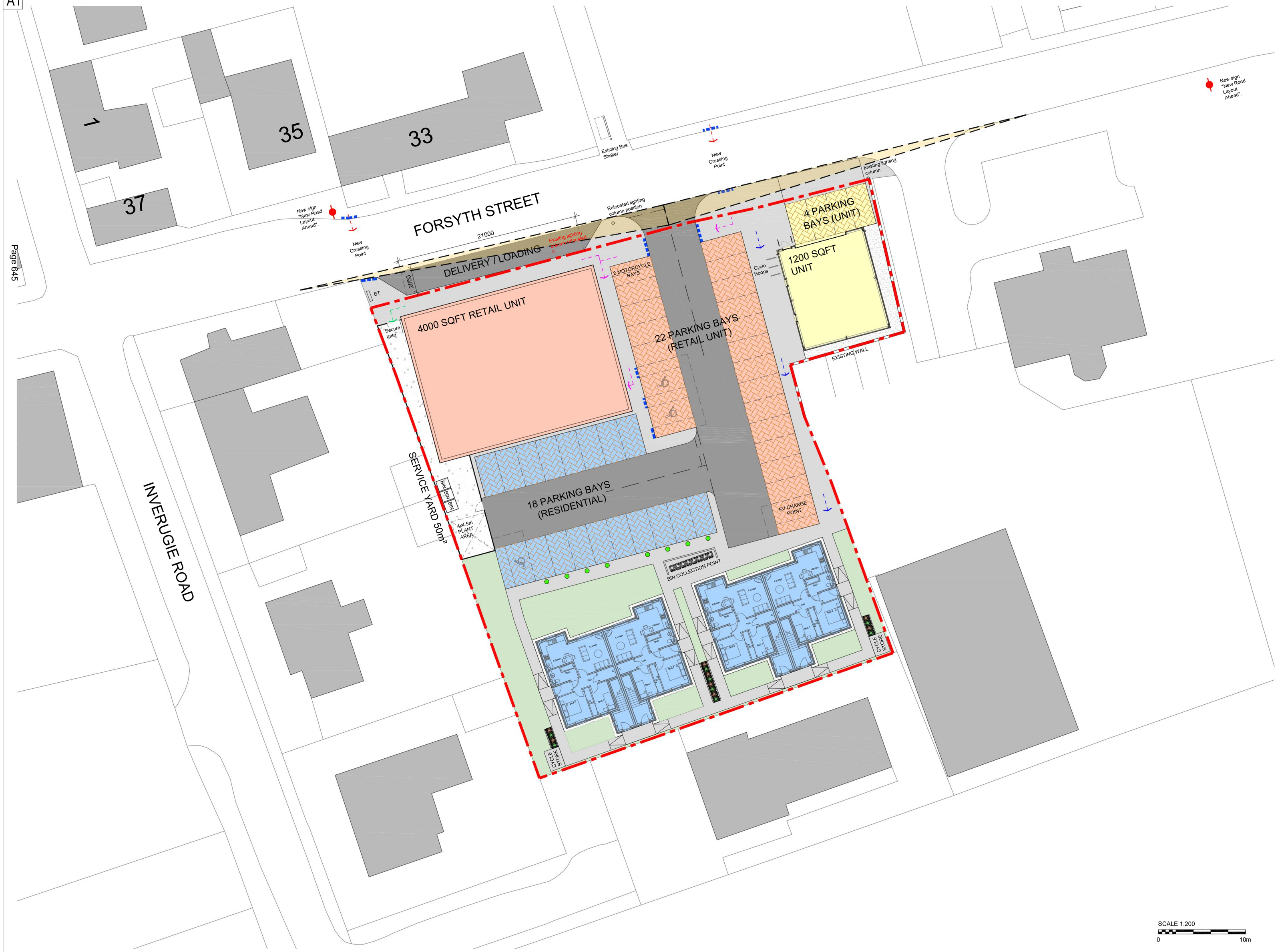


N

PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2693m² / 0.67 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOCK PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.
- PEDESTRIAN ACCESS TO RETAIL/ RESIDENTIAL.
- PEDESTRIAN ACCESS TO RETAIL ONLY.
- PEDESTRIAN ACCESS TO RESIDENTIAL ONLY.
- SERVICE YARD / DELIVERY ACCESS.
- DROPPED KERB WITH TACTILE PAVING.
- NEW ROAD SIGN - "NEW ROAD LAYOUT AHEAD".
- POTENTIAL EV CHARGE POINT FOR FLATS.

SCALE 1:200
0 10m

Rev.	Date	Remarks	By	Ch.
G	03.02.2021	Footpath widened on Forsyth Street.	BRL	-
F	27.01.2021	Road safety audit & Planning updates.	BRL	-
E	31.08.2020	Motorcycle bays and bin collection note added.	BRL	-
D	21.08.2020	Loading bay extended. Pedestrian routes updated.	BRL	-
C	18.08.2020	Parking reconfigured & footpath to east boundary added to suit Planning feedback.	BRL	-
B	03.07.2020	Amendments to suit topo.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

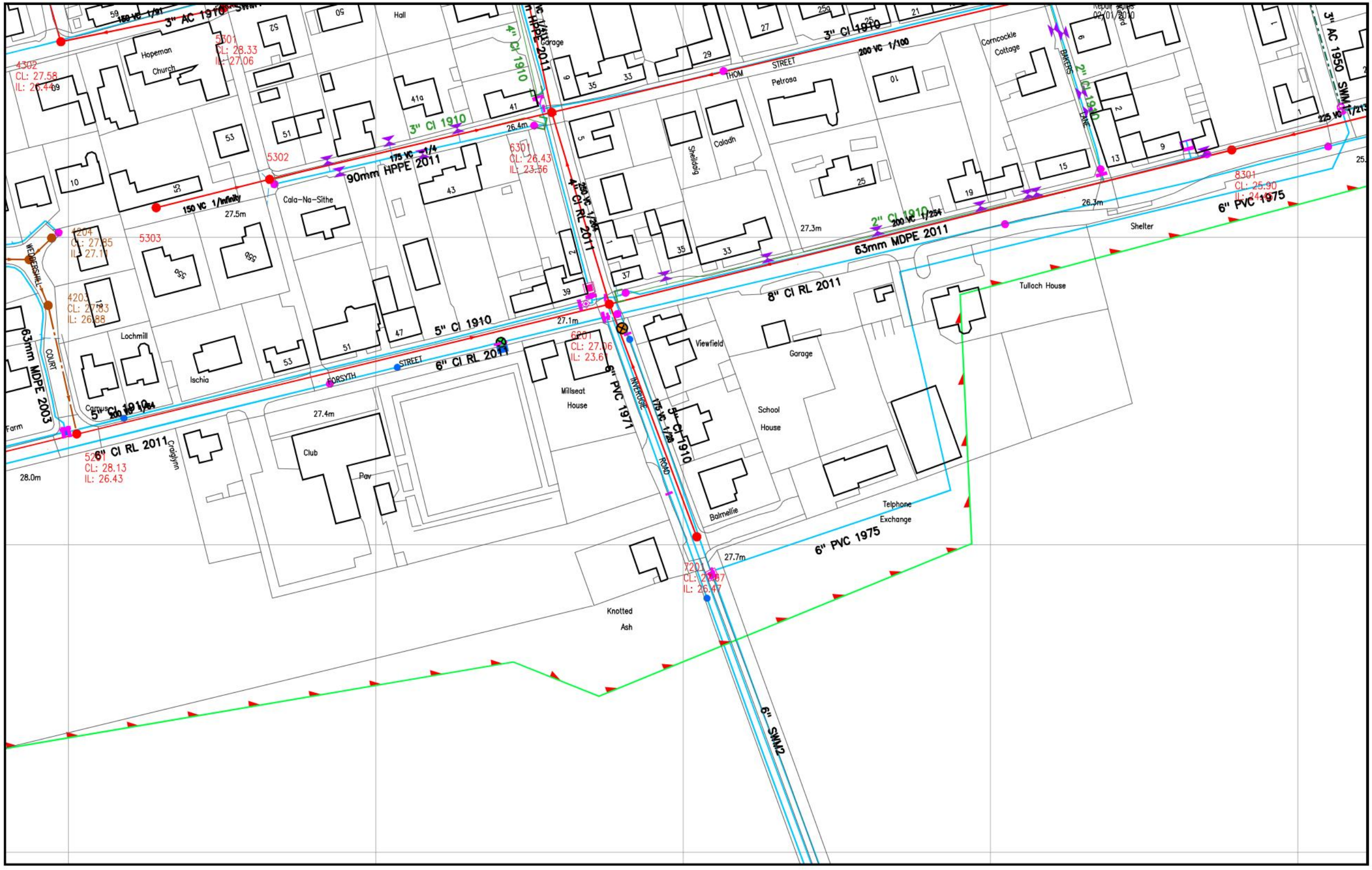
Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM

Drawing no. L-003

Rev G

APPENDIX B

Scottish Water Record Plans



The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 25/03/2020

Forsyth Street

Hopeman

0 — 118 metres

Scale: 1:1250

Plotted By: spring01

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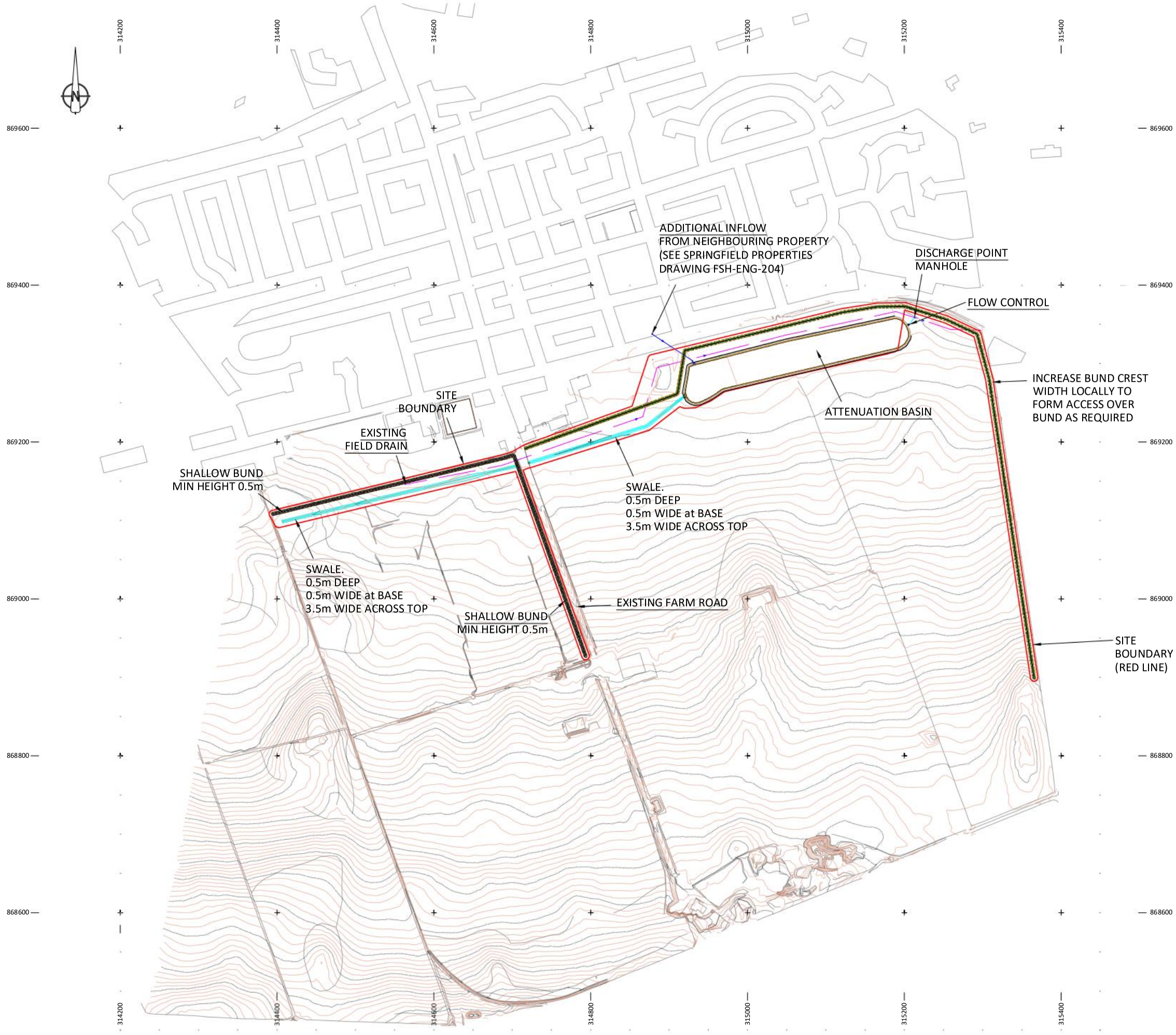
Scottish Water
Always serving Scotland
Castle House,
6 Castle Drive,
Dunfermline,
KY11 8GG
Tel No: 0845 601 8855

APPENDIX C

Existing Drainage Scheme



Notes

1. Levels to be confirmed by supervising engineer prior to works commencing.
2. Envirocentre Ltd is not supervising construction works. Works to be supervised by a suitably qualified, experienced professional with design details to be confirmed as suitable for site conditions by works supervisor.
3. Pollution prevention measures to be in place and works to comply with agreed construction method statement.
4. All dimensions in metres (unless otherwise stated) and levels stated to Ordnance Datum.
5. Design includes detention pond with basal area, 11,313m^2, and top surface area, 13,435m^2 . See section detail drawing 670830-007.
6. Design includes 523m linear length of swale. See section detail drawing 670830-007.
7. Design includes 1679m linear length of shallow bund. See section detail drawing 670830-008.

Do not scale this drawing

Rev	Date	Amendment	Initials
A	01/10/2018	Updated Layout	SMC

ENVIRO Centre
Craighall Business Park, Eagle Street, Glasgow, G4 9XA
Tel: 0141 341 5040
Fax: 0141 341 5045

Client
Springfield Properties PLC.

Project
Land at Hopeman, Moray

Title
Hopeman Overall Layout and Location Plan

Status
CONSTRUCTION DRAWING

Drawing No.
670830-001

Revision

File path:k:\670830\drgs\cad

Scale
1:5000

A3

Date
03 August 2018

Drawn
CM

Checked
NG

Approved
NG

Legend

- Site Catchment
- Western Fields Catchment
- Culvert
- Field Drain
- 5m Contours

Do not scale this map

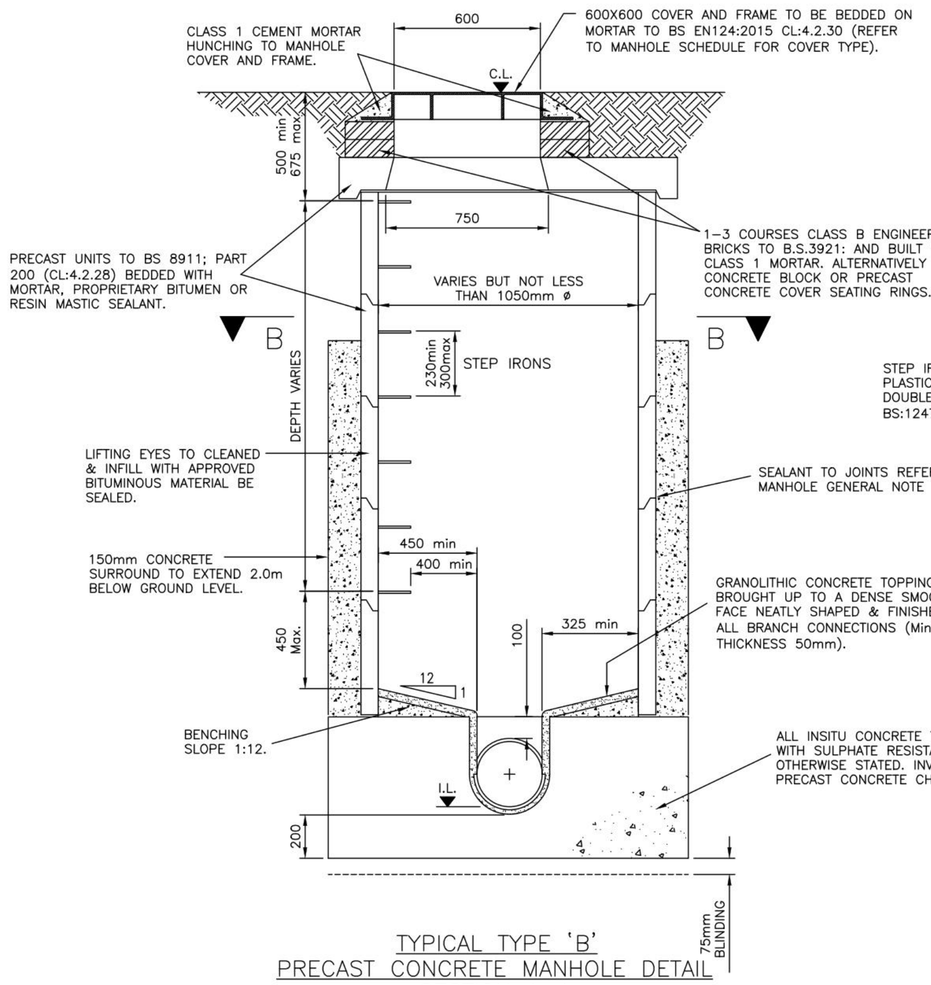
Client	Springfield Properties Ltd
Project	Land at Hopeman, Moray
Title	Field Drain Catchment
Status	Final
Drawing No.	368688 - 005
Revision	
Scale	1:7,500
A3	
Date	08 Dec 2016
Drawn	JMC
Checked	NG
Approved	NG

ENVIRO Centre
Craighall Business Park, Eagle Street, Glasgow, G4 9XA
Tel: 0141 341 5040
Fax: 0141 341 5045

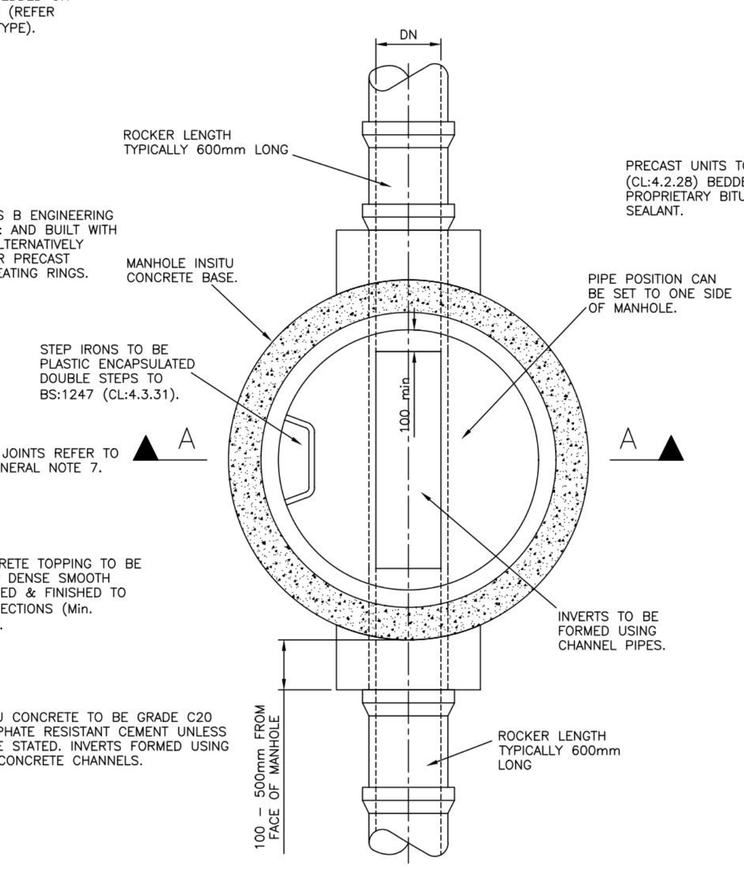
APPENDIX D

Drainage Layout and Details

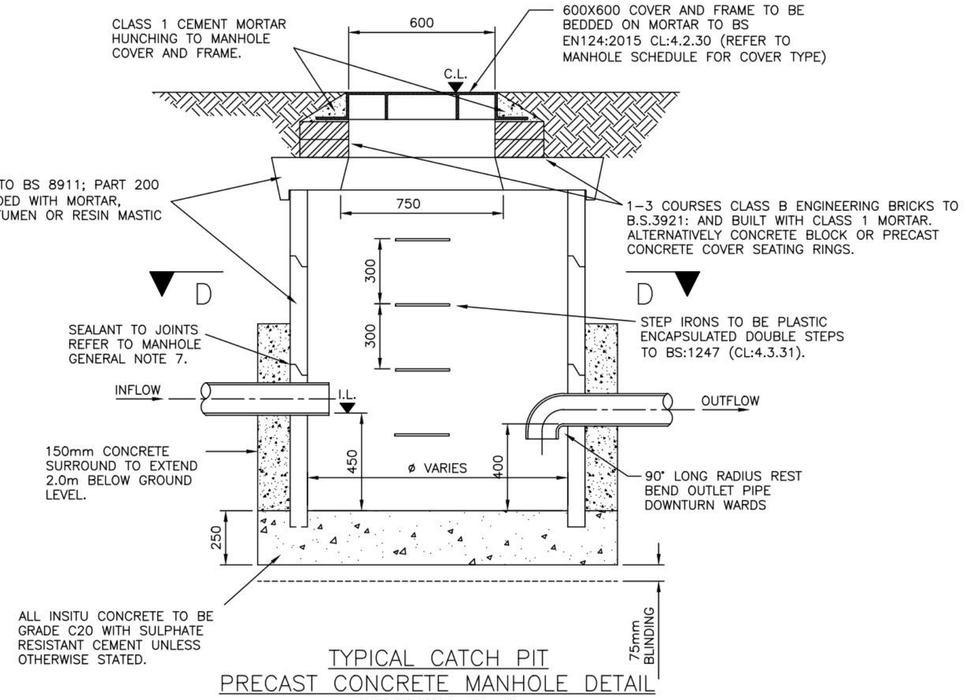
A1



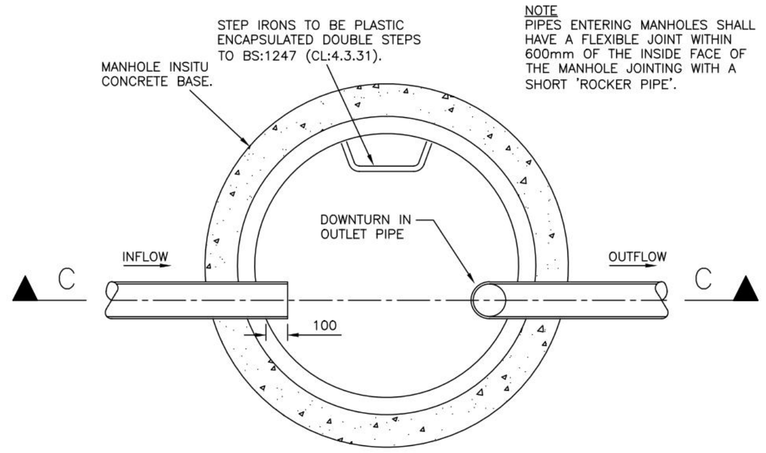
TYPICAL TYPE 'B'
PRECAST CONCRETE MANHOLE DETAIL
SECTION A–A
DEPTH FROM GROUND LEVEL TO SOFFIT 1.5m – 3.0m
(Scale 1:20)



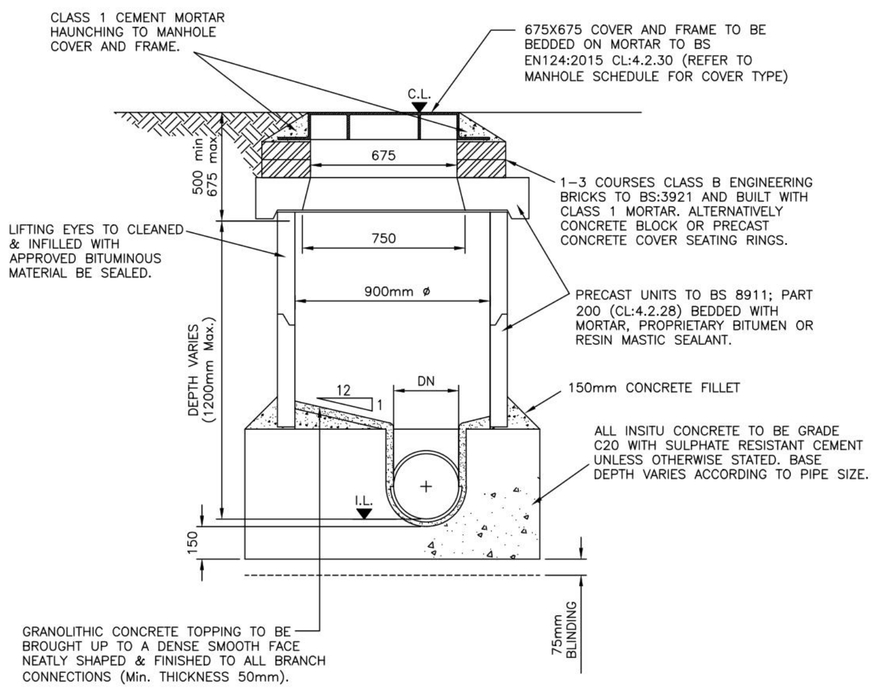
TYPICAL TYPE 'B'
PRECAST CONCRETE MANHOLE DETAIL
PLAN SECTION B–B
DEPTH FROM GROUND LEVEL TO SOFFIT 1.5m – 3.0m
(Scale 1:20)



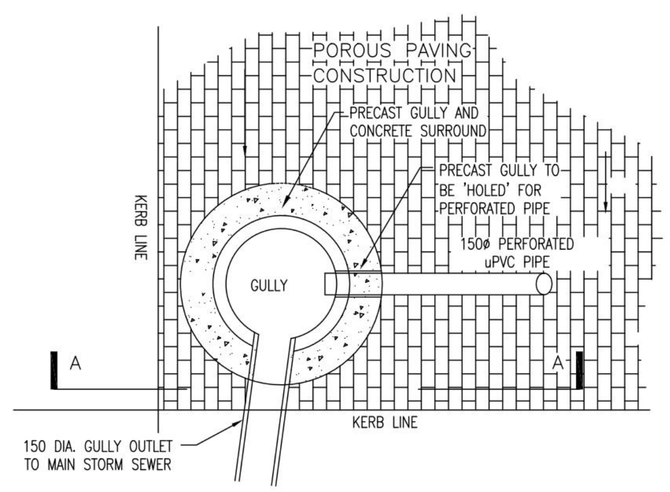
TYPICAL CATCH PIT
PRECAST CONCRETE MANHOLE DETAIL
SECTION C–C
DEPTH FROM GROUND LEVEL TO SOFFIT 1.5m – 3.0m
(Scale 1:20)



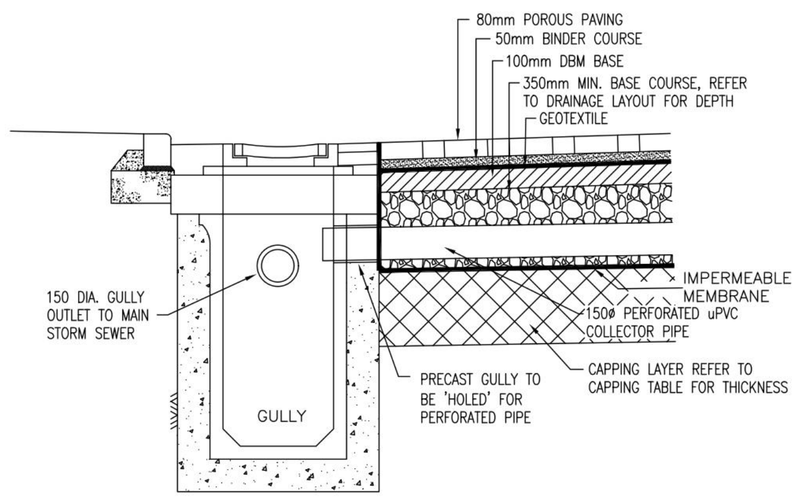
TYPICAL CATCH PIT
PRECAST CONCRETE MANHOLE DETAIL
PLAN SECTION D–D
DEPTH FROM GROUND LEVEL TO SOFFIT 1.5m – 3.0m
(Scale 1:20)



TYPICAL PRECAST MANHOLE
INSPECTION CHAMBER
DEPTH FROM GROUND LEVEL TO SOFFIT 0.9m – 1.5m
(Scale 1:20)



TYPICAL DETAIL AT POROUS
PAVING DRAINAGE OUTLET
1:20



SECTION A–A
1:20

GENERAL MANHOLE NOTES

1 ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH RELEVANT CODES OF PRACTICE AND BRITISH STANDARDS IN COMPLAISANCE WITH BUILDING CONTROL AND SEPA REGULATIONS.

2 ALL ADOPTED SEWERS MUST BE CONSTRUCTED IN ACCORDANCE WITH SEWERS FOR SCOTLAND 4th EDITION.

3 ALL DIMENSIONS ARE IN MILLIMETERS AND ALL LEVELS ARE IN METERS.

4 MANHOLE COVERS WITHIN TRAFFICKED AREAS TO BE SAINT–GOBAIN, INTER–AX D400–N, HEAVY DUTY, DOUBLE TRIANGULAR, DUCTILE IRON TO BS:EN 124, 600x600 CLEAR OPENING, NON ROCK, LOCKABLE COVER OR EQUAL APPROVED.

5 MANHOLE COVERS IN AREAS ACCESSIBLE TO PEDESTRIANS ONLY TO BE SAINT–GOBAIN, TROJAN MEDIUM DUTY B125, SINGLE PIECE, DUCTILE IRON TO BS:EN 124, 600x600 CLEAR OPENING, SCREW DOWN COVER OR EQUAL APPROVED.

6 ALL MANHOLE & ACCESS COVERS WITHIN BUILDING FOOTPRINT TO BE DOUBLED SEALED. COVERS IN OPEN SPACE TO BE VENTILATED. REFER TO MANHOLE SCHEDULE FOR TYPE AND LOCATION.

7 FIRST FLEXIBLE JOINTS IN PIPES ADJACENT TO A MANHOLE SHALL BE A MAXIMUM OF 600mm FROM INSIDE FACE OF MANHOLE, CONNECTING TO ROCKER PIPE. REFER TO MANHOLE DIMENSIONS TABLE FOR ROCKER PIPE LENGTH.

8 MANHOLE CHAMBERS RINGS SHALL BE PRECAST UNITS TO BS:8911;PART 200 (CL:4.2.28) BEDDED WITH MORTAR, PROPRIETARY BITUMEN OR RESIN MASTIC SEALANT OR OTHER SIMILAR APPROVED MATERIAL APPLIED IN ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS.

9 THE LOWEST CHAMBER RING BEARING ON THE FOUNDATION AND THE HIGHEST CHAMBER RING RECEIVING THE COVER SLAB SHALL HAVE PLAIN ENDS AND BE BEDDED IN MORTAR.

10 MANHOLE ACCESS HOLE AND STEP IRON POSITIONS TO BE LOCATED TO GIVE GREATEST FREE AREAS OF BENCHING IMMEDIATELY BELOW.

11 STEP IRONS NOT TO PROTRUDE INTO 675 SQUARE ACCESS OPENING SHAFT COVER SLAB. STEP IRONS TO BE PLASTIC ENCAPSULATED DOUBLE STEPS TO BS:1247 (CL:4.3.31).

12 TOP STEP IRON TO BE LOCATED NOT LESS THAN 500 AND NOT GREATER THAN 675 FROM THE FINISHED MANHOLE COVER LEVEL.

13 CONCRETE FOUNDATION TO BE SCRABBLED BEFORE PLACING BENCHING.

14 WHERE OUTLET PIPE DIAMETER IS GREATER THAN INLET, PIPE SOFFIT TO BE THE SAME LEVEL UNLESS NOTED OTHERWISE. A MINIMUM FALL OF 50mm SHOULD BE ACHIEVED ACROSS MANHOLE IN DIRECTION OF FLOW

15 GRANOLITHIC CONCRETE TOPPING TO BE BROUGHT UP TO A DENSE SMOOTH FACE NEATLY SHAPED & FINISHED TO ALL BRANCH CONNECTIONS (Min. THICKNESS 50mm).

16 BENCHING SHALL BE TROWEL SMOOTH AND SLOPED TOWARDS THE CHANNEL AT 1 IN 12.

17 SELF CLEANING TOE HOLES TO BE PROVIDED WHERE CHANNELS EXCEED 600mm WIDE.

18 BRANCH BENDS AND BENCHING TO BE CURVED IN THE DIRECTION OF FLOW AND FORMED FROM GRANOLITHIC CONCRETE, HIGH STRENGTH CONCRETE TOPPING OR WITH GRADE C20/20 CONCRETE TOWELED SMOOTH MONOLITHICALLY WITH THE BASE SLAB.

19 MANHOLES WITH OUTGOING PIPES GREATER THAN 450mm DIAMETER SHALL BE FITTED WITH GUARD BARS, SAFETY CHAINS OR OTHER SAFETY DEVICES.

20 ALL PRECAST CONCRETE PRODUCTS (i.e. PIPES, MANHOLE RINGS etc.) SHALL BE TO DESIGN SULPHATE CLASS DS–2 AND CHEMICAL DESIGN DC–3, IN ACCORDANCE WITH BRE SPECIAL DIGEST 1 AND BS:5911.

21 REFER TO SITE INVESTIGATION REPORT OR STRUCTURAL FOUNDATION DRAWINGS FOR IN–STU CONCRETE SULPHATE CLASSIFICATION.

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Rev.	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
FORSYTH STREET
HOPEMAN

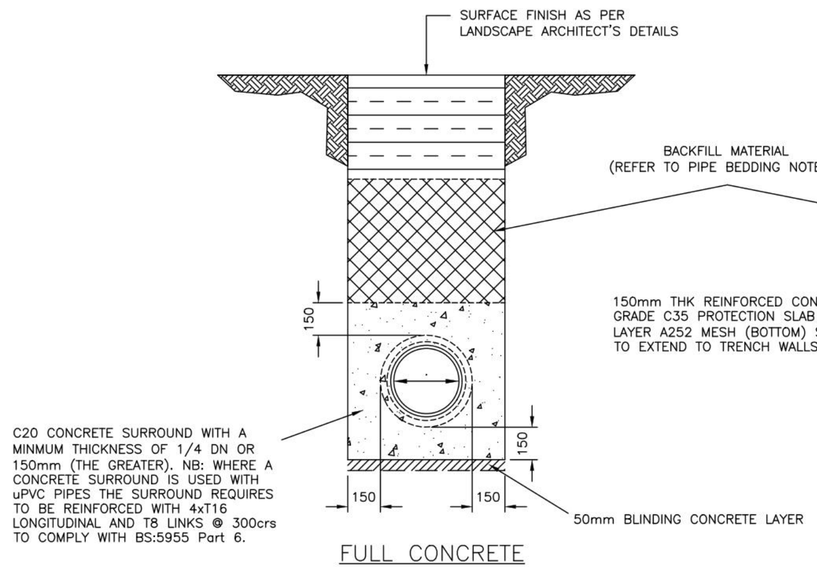
Drawing
PROPOSED DRAINAGE
CONSTRUCTION DETAILS
SHEET 1 OF 2

Scale	Date	Drawn by	Checked by
See Dwg	08.07.20	PD	

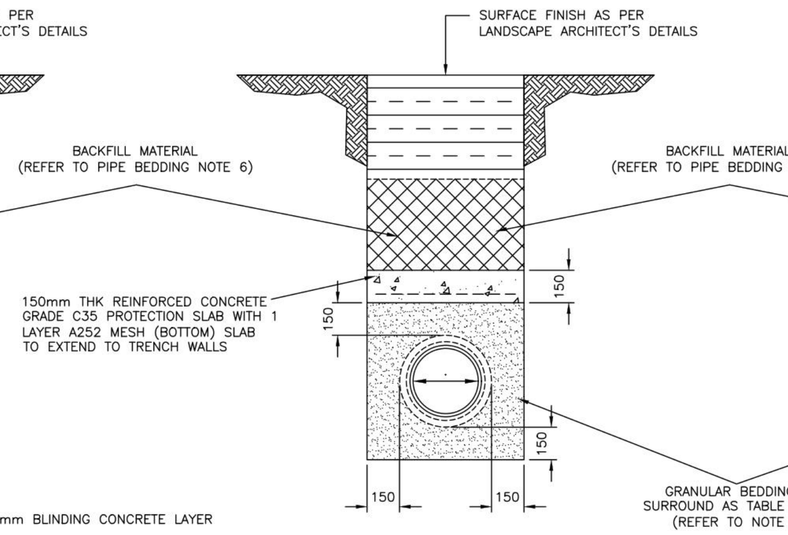
Drawing no.
10045-C-202

Rev

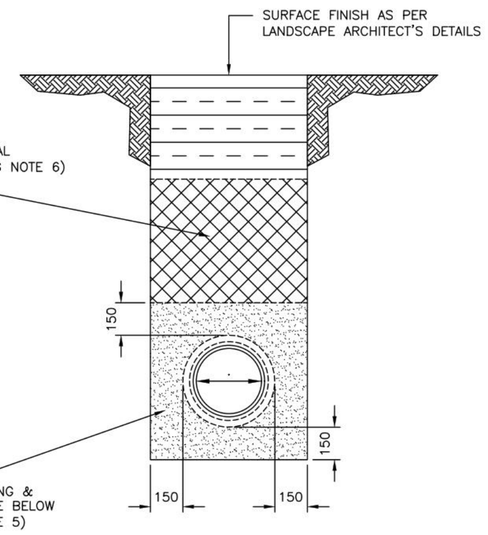
A1



FULL CONCRETE SURROUND TO PIPEWORK
(Scale 1:20)



ALTERNATIVE TO CONCRETE SURROUND TO PIPEWORK
(Scale 1:20)



CLASS S BEDDING TO PIPEWORK
(Scale 1:20)

PIPE BEDDING SPECIFICATION TABLE

(THIS TABLE TO BE READ IN CONJUNCTION WITH W.I.S. No. 4-08-02A:2008)

PIPE NOMINAL BORE	CLASS OF BEDDING	NOMINAL MAXIMUM PRACTICLE SIZE	Max. CF VALUE NON-PRESSURE PIPE	Max. CF VALUE PRESSURE PIPE	MATERIALS SPECIFIED IN BRITISH STANDARDS
100mm	'S'	10mm	0.15 0.30	0.30	10mm NOMINAL SINGLE SIZE
100 – 150mm	'S'	15mm	0.15 0.30	0.30	10 OR 14mm NOMINAL SINGLE SIZE OR 14mm TO 5mm GRADED
150 – 300mm	'S'	20mm	0.15 0.30	0.30	10, 14 OR 20mm NOMINAL SINGLE SIZE OR 14mm TO 5mm GRADED OR 20mm TO 5mm GRADED
300 – 550mm	'S'	20mm	0.15 0.30	0.30	14 OR 20mm NOMINAL SINGLE SIZE OR 14mm TO 5mm GRADED OR 20mm TO 5mm GRADED
<550mm	'S'	40mm	0.15 0.30	0.30	14, 20 OR 40mm NOMINAL SINGLE SIZE OR 14mm TO 5mm GRADED OR 20mm TO 5mm GRADED OR 40mm TO 5mm GRADED

PIPE BEDDING REQUIREMENT

LOCATION	COVER TO PIPE SOFFIT	BEDDING TYPE
ROADS (ADOPTED SEWERS)	>1.2m	CLASS 'S' GRANULAR BED & SURROUND
	<1.2m	CONCRETE SURROUND
	<1.5m	CONCRETE SURROUND
UNDER BUILDING SLAB	>0.45m	CLASS 'B' GRANULAR BED & SURROUND
	<0.45m	CONCRETE SURROUND

PIPE TYPE & BEDDING NOTES

1 THE FOLLOWING PIPE STRENGTHS SHALL BE ADOPTED UNLESS NOTED OTHERWISE:–

uPVC SHALL BE DOUBLE STRUCTURED WALL SEWER PIPE SHALL COMPLY WITH THE RELEVANT PROVISIONS OF WIS-4-35-01 IN ACCORDANCE WITH BS EN1401 PE 1 2009.

uPVC JOINTS & FITTINGS FOR GRAVITY SEWERS SHALL COMPLY WITH THE RELEVANT PROVISIONS OF BS:4346 Part 3. AND BS:4660:2000, SOLVENT CEMENT MAY ALTERNATIVELY COMPLY WITH BS:6209.

PIPES UP TO AND INCLUDING 300mm ø TO BE UNPLASTICISED PVC DOUBLE STRUCTURED WALL UNLESS NOTED OTHERWISE.

PIPES ABOVE 300mm ø TO BE CLASS M CONCRETE UNLESS NOTED OTHERWISE.

2 REFER TO LAYOUT PLAN FOR PIPEWORK TYPE & LOCATION.

3 WHERE COVER IS LESS THAN 1.2m Dp BELOW TRAFFICKED AREA OR 0.9m DP BELOW LANDSCAPE AREAS SHALL BE PROVIDED WITH CONCRETE SURROUND TO COMPLY WITH BS:5955 Part 6 REQUIREMENT OR THE ALTERNATIVE CONCRETE SURROUND DETAIL SHOULD BE ADOPTED.

4 ALL WORK AND MATERIAL TO COMPLY WITH THE SEWERS FOR SCOTLAND 4th EDITION.

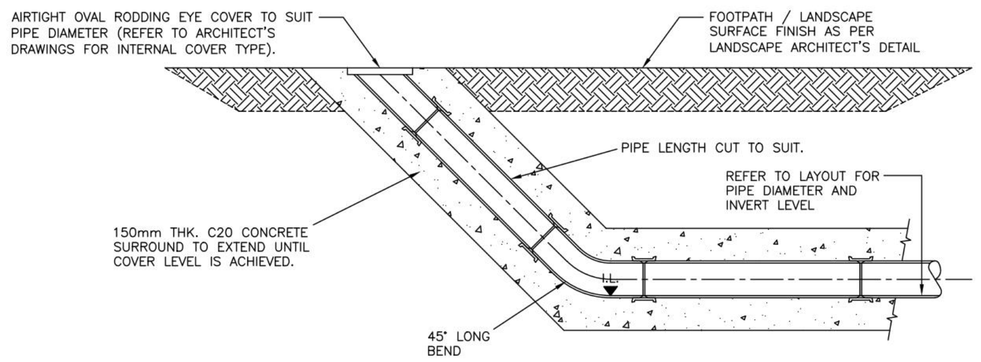
5 SPECIFICATION FOR BEDDING AND SIDEWALL MATERIALS TO BE WATER INDUSTRY SPECIFICATION (WIS) 4-08-02A:2008

6 BACKFILL SHALL BE UNIFORM READILY COMPATIBLE MATERIAL FREE FROM VEGETABLE MATTER, BUILDING RUBBISH, FROZEN SOIL, MATERIAL SUSCEPTIBLE TO SPONTANEOUS COMBUSTION & CLAY LUMPS & STONE RETAINED ON 75mm SIEVE & 37.5mm SIEVE RESPECTIVELY.

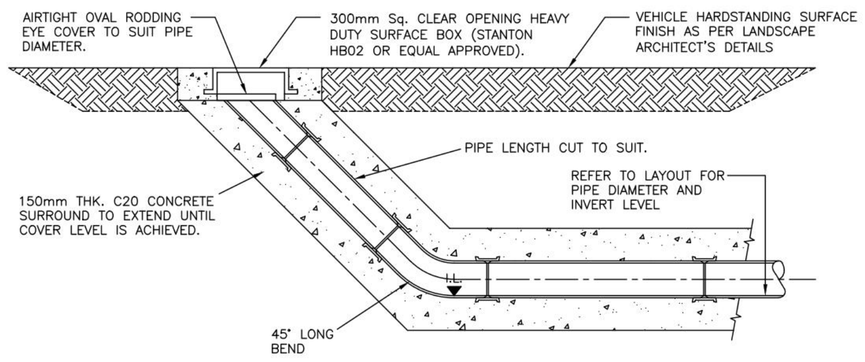
7 ALL PIPE RUNS TO BE LAID WITH FLEXI-JOINTS.

8 ALL PIPE BENDS TO SUIT DIRECTION OF FLOW.

9 FOR DETAILS OF GROUND CONDITIONS REFER TO GROUND INVESTIGATION REPORT.

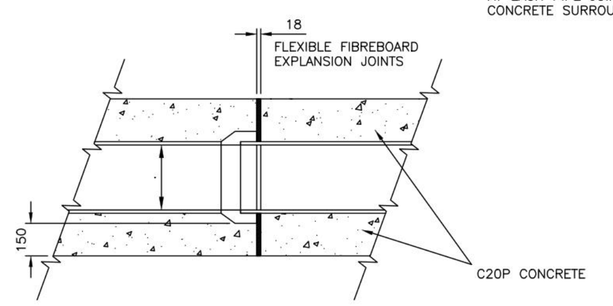


TYPICAL RODDING EYE DETAIL NON-TRAFFICKED AREAS
(Scale 1:20)

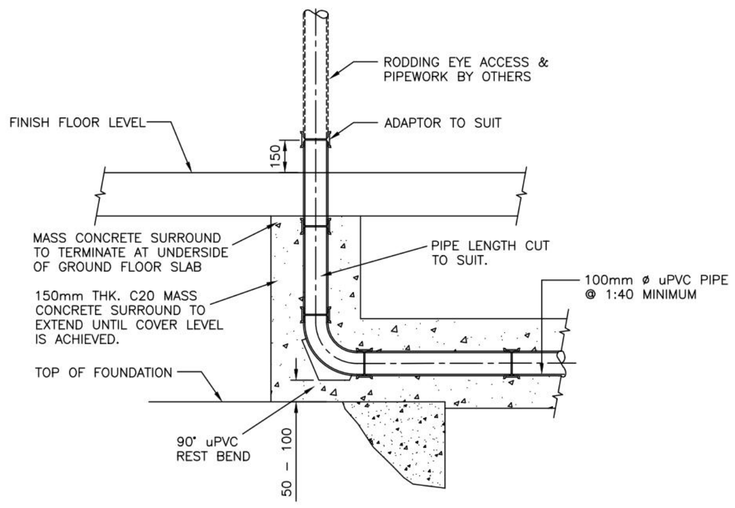


TYPICAL RODDING EYE DETAIL TRAFFICKED AREAS
(Scale 1:20)

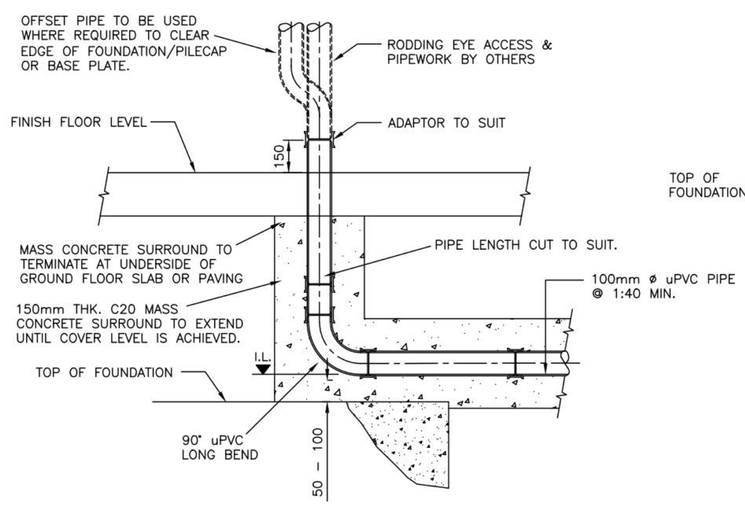
NOTE
EXPANSION JOINTS TO BE USED AT EACH PIPE JOINT WHERE CONCRETE SURROUND IS USED.



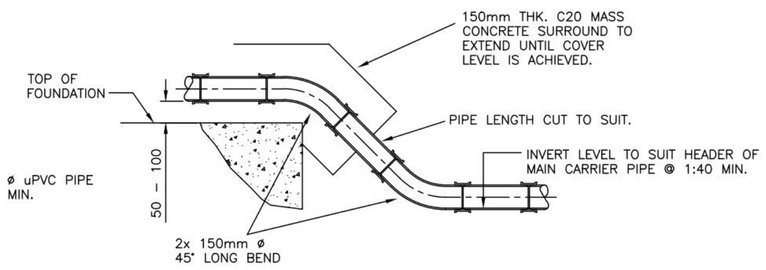
SECTION THRO' EXPANSION JOINT IN CONCRETE SURROUND
(SCALE 1:20)



TYPICAL SOIL VENT PIPE OUTLET DETAIL
(Scale 1:20)



TYPICAL RAINWATER DOWNPIPE OUTLET DETAIL
(Scale 1:20)



TYPICAL PIPE DETAIL OVER FOUNDATION
(Scale 1:20)

Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "DO NOT SCALE". The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent.

Rev.	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
FORSYTH STREET
HOPEMAN

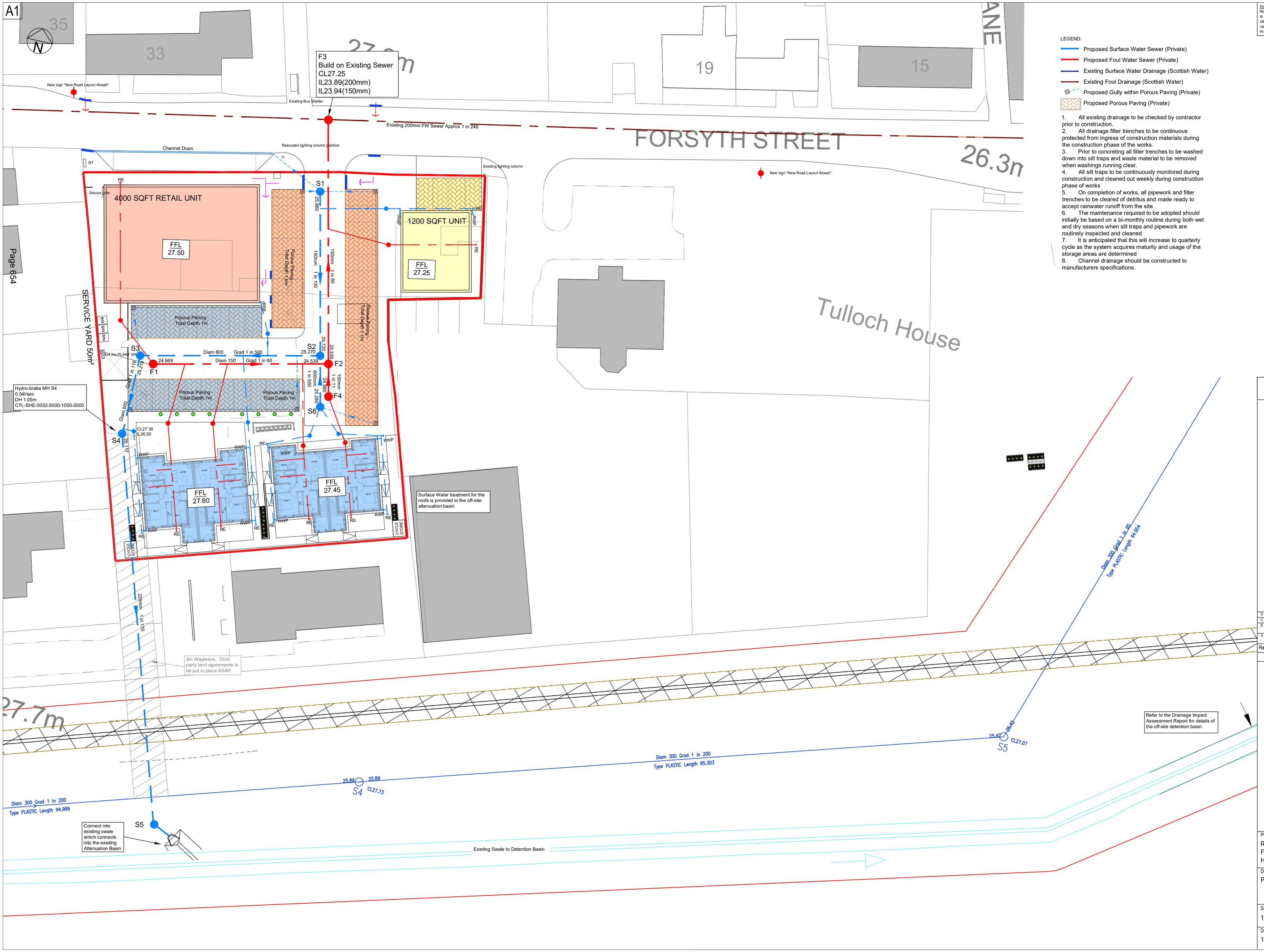
Drawing
PROPOSED DRAINAGE
CONSTRUCTION DETAILS
SHEET 2 OF 2

Scale	Date	Drawn by	Checked by
See Dwg	08.07.20	PD	

Drawing no.
10045-C-203

Rev

A1



Page 654

Important notes for clients / contractors

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LEGEND:

- Proposed Surface Water Sewer (Private)
- Proposed Foul Water Sewer (Private)
- Existing Surface Water Drainage (Scottish Water)
- Existing Foul Drainage (Scottish Water)
- Proposed Gully within Porous Paving (Private)
- Proposed Porous Paving (Private)

1. All existing drainage to be checked by contractor prior to construction.
2. All drainage filter trenches to be continuous protected from ingress of construction materials during the construction phase of the works.
3. Prior to concreting all filter trenches to be washed down into silt traps and waste material to be removed when washings running clear.
4. All silt traps to be continuously monitored during construction and cleaned out weekly during construction phase of works
5. On completion of works, all pipework and filter trenches to be cleared of detritus and made ready to accept rainwater runoff from the site
6. The maintenance required to be adopted should initially be based on a bi-monthly routine during both wet and dry seasons when silt traps and pipework are routinely inspected and cleaned
7. It is anticipated that this will increase to quarterly cycle as the system acquires maturity and usage of the storage areas are determined
8. Channel drainage should be constructed to manufacturers specifications.

PLANNING

Rev.	Date	Remarks	By	Ch.
D	05.02.21	Layout revised. Channel drain added at loading bay.	PD	
C	26.08.20	Layout revised.	PD	
B	16.06.20	Surface Water outfall amended to connect to existing swale. Invert levels amended.	PD	
A	03.04.20	Surface Water outfall amended to exit through the rear properties land. Wayleave required.	PD	

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED DRAINAGE LAYOUT

Scale	Date	Drawn by	Checked by
1:250	26.03.20	PD	

Drawing no.
10045-C-201

Rev
D

APPENDIX E

SEPA Simple Index Tool

SIMPLE INDEX APPROACH: TOOL

HRW shall not be liable for any direct or indirect damage claim, loss, cost, expense or liability howsoever arising out of the use or impossibility to use the tools, even when HRW has been informed of the possibility of the same. The user hereby indemnifies HRW from and against any damage claim, loss, expense or liability resulting from any action taken against HRW that is related in any way to the use of the tool or any reliance made in respect of the output of such use by any person whatsoever. HRW does not guarantee that the tool's functions meet the requirements of any person, nor that the tool is free from errors.

1. The steps set out in the tool should be applied for each inflow or 'runoff area' (ie each impermeable surface area separately discharging to a SuDS component).

2. The supporting 'Design Conditions' stated by the tool must be fully considered and implemented in all cases.

3. The process that is automated in this tool is described in the SuDS Manual, Chapter 26 (Section 26.7)

3. Relevant design examples are included in the SuDS Manual Appendix C.

4. Each of the steps below are part of the process set out in the flowchart on Sheet 3.

5. Sheet 4 summarises the selections made below and indicates the acceptability of the proposed SuDS components.

6. Interception should be delivered for all upstream impermeable areas as part of the strategy for water quantity and quality control for the site. This is required in order to deliver both of the water quality criteria set out in Chapter 4 of the SuDS Manual

DROP DOWN LIST	RELEVANT INPUTS NEED TO BE SELECTED FROM THESE LISTS, FOR EACH STEP
USER ENTRY	USER ENTRY CELLS ARE ONLY REQUIRED WHERE INDICATED BY THE TOOL

STEP 1: Determine the Pollution Hazard Index for the runoff area discharging to the proposed SuDS scheme

This step requires the user to select the appropriate land use type for the area from which the runoff is occurring

If the land use varies across the 'runoff area', either:

- use the land use type with the highest Pollution Hazard Index

- apply the approach for each of the land use types to determine whether the proposed SuDS design is sufficient for all. If it is not, consider collecting more hazardous runoff separately and providing additional treatment.

If the generic land use types suggested are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in the row below the drop down lists.

	Runoff Area Land Use Description	*Hazard Level*	*Pollution Hazard Indices* Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2
Select land use type from the drop down list (or 'Other' if none applicable): →	Non-residential car parking with frequent change (eg hospitals, retail)	Medium	0.7	0.6	0.7		
If the generic land use types in the drop down list above are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in this row:							
	Landuse Pollution Hazard Index	**Medium**	**0.7**	**0.6**	**0.7**		

STEP 2A: Determine the Pollution Mitigation Index for the proposed SuDS components

This step requires the user to select the proposed SuDS components that will be used to treat runoff - before it is discharged to a receiving surface waterbody or downstream infiltration component

If the runoff is discharged directly to an infiltration component, without upstream treatment, select 'None' for each of the 3 SuDS components and move to Step 2B

This step should be applied to evaluate the water quality protection provided by proposed SuDS components for discharges to receiving surface waters or downstream infiltration components (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).

If you have fewer than 3 components, select 'None' for the components that are not required

If the proposed component is bespoke and/or a proprietary treatment product and not generically described by the suggested components, then 'Proprietary treatment system' or 'User defined indices' should be selected and a description of the component and agreed user defined indices should be entered in the rows below the drop down lists

	SuDS Component Description	*Pollution Mitigation Indices* Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2	3
Select SuDS Component 1 (i.e. the upstream SuDS component) from the drop down list: →	Pervious pavement (where the pavement is not designed as an infiltration component)	0.7	0.6	0.7	SuDS components can only be assumed to deliver these indices if they follow design guidance with respect to hydraulics and treatment set out in the relevant technical component chapters of the SuDS Manual. See also checklists in Appendix B		
Select SuDS Component 2 (i.e. the second SuDS component in a series) from the drop down list: →	Detention basin	0.5	0.5	0.6	SuDS components can only be assumed to deliver these indices if they follow design guidance with respect to hydraulics and treatment set out in the relevant technical component chapters of the SuDS Manual. See also checklists in Appendix B	Detention basins should be designed to ensure the effective retention and management of sediment, such that the sediment will not be re-suspended and washed out in subsequent events	
Select SuDS Component 3 (i.e. the third SuDS component in a series) from the drop down list: →	None	0	0	0			
If the proposed SuDS components are bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary treatment system' or 'User defined indices' and enter component descriptions and agreed user defined indices in these rows:							
		0.5	0.33	0.8			
	Aggregated Surface Water Pollution Mitigation Index	**0.95**	**0.85**	**>0.95**			

Note: If the total aggregated mitigation index is > 1 (which is not a realistic outcome), then the outcome is fixed at '>0.95'. In this scenario, the proposed components are likely to have a very high mitigation potential for reducing pollutant levels in the runoff and should be sufficient for any proposed land use (note: where risk assessment is required, this outcome would need more detailed verification).

Is the runoff now discharged to an infiltration component?

Yes ? Go to Step 2B
No ? Go to Step 2C

STEP 2B: Determine the Pollution Mitigation Index for the proposed Groundwater Protection

This step requires the user to select the type of groundwater protection that is either part of the SuDS component or that lies between the component and the groundwater

This step should be applied where a SuDS component is specifically designed to infiltrate runoff (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).

'Groundwater protection' describes the proposed depth of soil or other material through which runoff will flow between the runoff surface and the underlying groundwater.

Where the discharge is to surface waters and risks to groundwater need not be considered, select 'None'

If the proposed groundwater protection is bespoke and/or a proprietary product and not generically described by the suggested measures, then a description of the protection and agreed user defined indices should be entered in the row below the drop down list

	Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2	3	4
Select type of groundwater protection from the drop down list: → None							
If the proposed groundwater protection is bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary product' or 'User defined indices' and enter a description of the protection and agreed user defined indices in this row:							
Groundwater Protection Pollution Mitigation Index	**0**	**0**	**0**				

STEP 2C: Determine the Combined Pollution Mitigation Indices for the Runoff Area

This is an automatic step which combines the proposed SuDS Pollution Mitigation Indices with any Groundwater Protection Pollution Mitigation Indices

	Combined Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons
Combined Pollution Mitigation Indices for the Runoff Area	**0.95**	**0.85**	**>0.95**

Note: If the total aggregated mitigation index is > 1 (which is not a realistic outcome), then the outcome is fixed at '>0.95'. In this scenario, the proposed components are likely to have a very high mitigation potential for reducing pollutant levels in the runoff and should be sufficient for any proposed land use (note: where risk assessment is required, this outcome would need more detailed verification).

STEP 2D: Determine Sufficiency of Pollution Mitigation Indices for Selected SuDS Components

This is an automatic step which compares the Combined Pollution Mitigation Indices with the Land Use Hazard Indices, to determine whether the proposed components are sufficient to manage each pollutant category type

When the combined mitigation index exceeds the land use pollution hazard index, then the proposed components are considered sufficient in providing pollution risk mitigation.

In England and Wales, where the discharge is to protected surface waters or groundwater, an additional treatment component (ie over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance. Protected surface waters are those designated for drinking water abstraction. In England and Wales, protected groundwater resources are defined as Source Protection Zone 1. In Northern Ireland, a more precautionary approach may be required and this should be checked with the environmental regulator on a site by site basis.

Note: In order to meet both Water Quality criteria set out in the SuDS Manual (Chapter 4), Interception should be delivered for all impermeable areas wherever possible. Interception delivery and treatment may be met by the same components, but Interception requires separate evaluation.

Sufficiency of Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1
Sufficient	**Sufficient**	**Sufficient**	Reference to local planning documents should also be made to identify any additional protection required for sites due to habitat conservation (see *Chapter 7 The SuDS design process*). The implications of developments on or within close proximity to an area with an environmental designation, such as a Site of Special Scientific Interest (SSSI), should be considered via consultation with relevant conservation bodies such as Natural England

SIMPLE INDEX APPROACH: TOOL

HRW shall not be liable for any direct or indirect damage claim, loss, cost, expense or liability howsoever arising out of the use or impossibility to use the tools, even when HRW has been informed of the possibility of the same. The user hereby indemnifies HRW from and against any damage claim, loss, expense or liability resulting from any action taken against HRW that is related in any way to the use of the tool or any reliance made in respect of the output of such use by any person whatsoever. HRW does not guarantee that the tool's functions meet the requirements of any person, nor that the tool is free from errors.

1. The steps set out in the tool should be applied for each inflow or 'runoff area' (ie each impermeable surface area separately discharging to a SuDS component).

2. The supporting 'Design Conditions' stated by the tool must be fully considered and implemented in all cases.

3. The process that is automated in this tool is described in the SuDS Manual, Chapter 26 (Section 26.7)

3. Relevant design examples are included in the SuDS Manual Appendix C.

4. Each of the steps below are part of the process set out in the flowchart on Sheet 3.

5. Sheet 4 summarises the selections made below and indicates the acceptability of the proposed SuDS components.

6. Interception should be delivered for all upstream impermeable areas as part of the strategy for water quantity and quality control for the site. This is required in order to deliver both of the water quality criteria set out in Chapter 4 of the SuDS Manual

DROP DOWN LIST — RELEVANT INPUTS NEED TO BE SELECTED FROM THESE LISTS, FOR EACH STEP

USER ENTRY — USER ENTRY CELLS ARE ONLY REQUIRED WHERE INDICATED BY THE TOOL

STEP 1: Determine the Pollution Hazard Index for the runoff area discharging to the proposed SuDS scheme

This step requires the user to select the appropriate land use type for the area from which the runoff is occurring

If the land use varies across the 'runoff area', either:

- use the land use type with the highest Pollution Hazard Index

- apply the approach for each of the land use types to determine whether the proposed SuDS design is sufficient for all. If it is not, consider collecting more hazardous runoff separately and providing additional treatment.

If the generic land use types suggested are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in the row below the drop down lists.

	Runoff Area Land Use Description	*Hazard Level*	*Pollution Hazard Indices* Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2
Select land use type from the drop down list (or 'Other' if none applicable): →	Commercial/Industrial roofing: Inert materials	Very low	0.3	0.2	0.05		
If the generic land use types in the drop down list above are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in this row:							
	Landuse Pollution Hazard Index	**Very low**	**0.3**	**0.2**	**0.05**		

STEP 2A: Determine the Pollution Mitigation Index for the proposed SuDS components

This step requires the user to select the proposed SuDS components that will be used to treat runoff - before it is discharged to a receiving surface waterbody or downstream infiltration component

If the runoff is discharged directly to an infiltration component, without upstream treatment, select 'None' for each of the 3 SuDS components and move to Step 2B

This step should be applied to evaluate the water quality protection provided by proposed SuDS components for discharges to receiving surface waters or downstream infiltration components (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).

If you have fewer than 3 components, select 'None' for the components that are not required

If the proposed component is bespoke and/or a proprietary treatment product and not generically described by the suggested components, then 'Proprietary treatment system' or 'User defined indices' should be selected and a description of the component and agreed user defined indices should be entered in the rows below the drop down lists

	SuDS Component Description	*Pollution Mitigation Indices* Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2	3
Select SuDS Component 1 (i.e. the upstream SuDS component) from the drop down list: →	Detention basin	0.5	0.5	0.6	SuDS components can only be assumed to deliver these indices if they follow design guidance with respect to hydraulics and treatment set out in the relevant technical component chapters of the SuDS Manual. See also checklists in Appendix B	Detention basins should be designed to ensure the effective retention and management of sediment, such that the sediment will not be re-suspended and washed out in subsequent events	
Select SuDS Component 2 (i.e. the second SuDS component in a series) from the drop down list: →	None	0	0	0			
Select SuDS Component 3 (i.e. the third SuDS component in a series) from the drop down list: →	None	0	0	0			
If the proposed SuDS components are bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary treatment system' or 'User defined indices' and enter component descriptions and agreed user defined indices in these rows:							
		0.5	0.33	0.8			
	Aggregated Surface Water Pollution Mitigation Index	**0.5**	**0.5**	**0.6**			

Note: If the total aggregated mitigation index is > 1 (which is not a realistic outcome), then the outcome is fixed at '>0.95'. In this scenario, the proposed components are likely to have a very high mitigation potential for reducing pollutant levels in the runoff and should be sufficient for any proposed land use (note: where risk assessment is required, this outcome would need more detailed verification).

Is the runoff now discharged to an infiltration component?

Yes ? Go to Step 2B
No ? Go to Step 2C

STEP 2B: Determine the Pollution Mitigation Index for the proposed Groundwater Protection

This step requires the user to select the type of groundwater protection that is either part of the SuDS component or that lies between the component and the groundwater

This step should be applied where a SuDS component is specifically designed to infiltrate runoff (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).

'Groundwater protection' describes the proposed depth of soil or other material through which runoff will flow between the runoff surface and the underlying groundwater.

Where the discharge is to surface waters and risks to groundwater need not be considered, select 'None'

If the proposed groundwater protection is bespoke and/or a proprietary product and not generically described by the suggested measures, then a description of the protection and agreed user defined indices should be entered in the row below the drop down list

	Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2	3	4
Select type of groundwater protection from the drop down list: → None							
If the proposed groundwater protection is bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary product' or 'User defined indices' and enter a description of the protection and agreed user defined indices in this row:							
Groundwater Protection Pollution Mitigation Index	**0**	**0**	**0**				

STEP 2C: Determine the Combined Pollution Mitigation Indices for the Runoff Area

This is an automatic step which combines the proposed SuDS Pollution Mitigation Indices with any Groundwater Protection Pollution Mitigation Indices

	Combined Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons
Combined Pollution Mitigation Indices for the Runoff Area	**0.5**	**0.5**	**0.6**

Note: If the total aggregated mitigation index is > 1 (which is not a realistic outcome), then the outcome is fixed at '>0.95'. In this scenario, the proposed components are likely to have a very high mitigation potential for reducing pollutant levels in the runoff and should be sufficient for any proposed land use (note: where risk assessment is required, this outcome would need more detailed verification).

STEP 2D: Determine Sufficiency of Pollution Mitigation Indices for Selected SuDS Components

This is an automatic step which compares the Combined Pollution Mitigation Indices with the Land Use Hazard Indices, to determine whether the proposed components are sufficient to manage each pollutant category type

When the combined mitigation index exceeds the land use pollution hazard index, then the proposed components are considered sufficient in providing pollution risk mitigation.

In England and Wales, where the discharge is to protected surface waters or groundwater, an additional treatment component (ie over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance. Protected surface waters are those designated for drinking water abstraction. In England and Wales, protected groundwater resources are defined as Source Protection Zone 1. In Northern Ireland, a more precautionary approach may be required and this should be checked with the environmental regulator on a site by site basis.

Note: In order to meet both Water Quality criteria set out in the SuDS Manual (Chapter 4), Interception should be delivered for all impermeable areas wherever possible. Interception delivery and treatment may be met by the same components, but Interception requires separate evaluation.

Sufficiency of Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1
Sufficient	**Sufficient**	**Sufficient**	Reference to local planning documents should also be made to identify any additional protection required for sites due to habitat conservation (see *Chapter 7 The SuDS design process*). The implications of developments on or within close proximity to an area with an environmental designation, such as a Site of Special Scientific Interest (SSSI), should be considered via consultation with relevant conservation bodies such as Natural England

SIMPLE INDEX APPROACH: TOOL

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1. The steps set out in the tool should be applied for each inflow or 'runoff area' (ie each impermeable surface area separately discharging to a SuDS component).

2. The supporting 'Design Conditions' stated by the tool must be fully considered and implemented in all cases.

3. The process that is automated in this tool is described in the SuDS Manual, Chapter 26 (Section 26.7)

3. Relevant design examples are included in the SuDS Manual Appendix C.

4. Each of the steps below are part of the process set out in the flowchart on Sheet 3.

5. Sheet 4 summarises the selections made below and indicates the acceptability of the proposed SuDS components.

6. Interception should be delivered for all upstream impermeable areas as part of the strategy for water quantity and quality control for the site. This is required in order to deliver both of the water quality criteria set out in Chapter 4 of the SuDS Manual

DROP DOWN LIST — RELEVANT INPUTS NEED TO BE SELECTED FROM THESE LISTS, FOR EACH STEP

USER ENTRY — USER ENTRY CELLS ARE ONLY REQUIRED WHERE INDICATED BY THE TOOL

STEP 1: Determine the Pollution Hazard Index for the runoff area discharging to the proposed SuDS scheme

This step requires the user to select the appropriate land use type for the area from which the runoff is occurring

If the land use varies across the 'runoff area', either:

- use the land use type with the highest Pollution Hazard Index

- apply the approach for each of the land use types to determine whether the proposed SuDS design is sufficient for all. If it is not, consider collecting more hazardous runoff separately and providing additional treatment.

If the generic land use types suggested are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in the row below the drop down lists.

	Runoff Area Land Use Description	*Hazard Level*	*Pollution Hazard Indices* Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2
Select land use type from the drop down list (or 'Other' if none applicable): →	Residential roofing	Very low	0.2	0.2	0.05		
If the generic land use types in the drop down list above are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in this row:							
	Landuse Pollution Hazard Index	**Very low**	**0.2**	**0.2**	**0.05**		

STEP 2A: Determine the Pollution Mitigation Index for the proposed SuDS components

This step requires the user to select the proposed SuDS components that will be used to treat runoff - before it is discharged to a receiving surface waterbody or downstream infiltration component

If the runoff is discharged directly to an infiltration component, without upstream treatment, select 'None' for each of the 3 SuDS components and move to Step 2B

This step should be applied to evaluate the water quality protection provided by proposed SuDS components for discharges to receiving surface waters or downstream infiltration components (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).

If you have fewer than 3 components, select 'None' for the components that are not required

If the proposed component is bespoke and/or a proprietary treatment product and not generically described by the suggested components, then 'Proprietary treatment system' or 'User defined indices' should be selected and a description of the component and agreed user defined indices should be entered in the rows below the drop down lists

	SuDS Component Description	*Pollution Mitigation Indices* Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2	3
Select SuDS Component 1 (i.e. the upstream SuDS component) from the drop down list: →	Detention basin	0.5	0.5	0.6	SuDS components can only be assumed to deliver these indices if they follow design guidance with respect to hydraulics and treatment set out in the relevant technical component chapters of the SuDS Manual. See also checklists in Appendix B	Detention basins should be designed to ensure the effective retention and management of sediment, such that the sediment will not be re-suspended and washed out in subsequent events	
Select SuDS Component 2 (i.e. the second SuDS component in a series) from the drop down list: →	None	0	0	0			
Select SuDS Component 3 (i.e. the third SuDS component in a series) from the drop down list: →	None	0	0	0			
If the proposed SuDS components are bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary treatment system' or 'User defined indices' and enter component descriptions and agreed user defined indices in these rows:							
		0.5	0.33	0.8			
	Aggregated Surface Water Pollution Mitigation Index	**0.5**	**0.5**	**0.6**			

Note: If the total aggregated mitigation index is > 1 (which is not a realistic outcome), then the outcome is fixed at '>0.95'. In this scenario, the proposed components are likely to have a very high mitigation potential for reducing pollutant levels in the runoff and should be sufficient for any proposed land use (note: where risk assessment is required, this outcome would need more detailed verification).

Is the runoff now discharged to an infiltration component?

Yes ? Go to Step 2B
No ? Go to Step 2C

STEP 2B: Determine the Pollution Mitigation Index for the proposed Groundwater Protection

This step requires the user to select the type of groundwater protection that is either part of the SuDS component or that lies between the component and the groundwater

This step should be applied where a SuDS component is specifically designed to infiltrate runoff (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).

'Groundwater protection' describes the proposed depth of soil or other material through which runoff will flow between the runoff surface and the underlying groundwater.

Where the discharge is to surface waters and risks to groundwater need not be considered, select 'None'

If the proposed groundwater protection is bespoke and/or a proprietary product and not generically described by the suggested measures, then a description of the protection and agreed user defined indices should be entered in the row below the drop down list

	Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1	2	3	4
Select type of groundwater protection from the drop down list: → None							
If the proposed groundwater protection is bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary product' or 'User defined indices' and enter a description of the protection and agreed user defined indices in this row:							
Groundwater Protection Pollution Mitigation Index	**0**	**0**	**0**				

STEP 2C: Determine the Combined Pollution Mitigation Indices for the Runoff Area

This is an automatic step which combines the proposed SuDS Pollution Mitigation Indices with any Groundwater Protection Pollution Mitigation Indices

	Combined Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons
Combined Pollution Mitigation Indices for the Runoff Area	**0.5**	**0.5**	**0.6**

Note: If the total aggregated mitigation index is > 1 (which is not a realistic outcome), then the outcome is fixed at '>0.95'. In this scenario, the proposed components are likely to have a very high mitigation potential for reducing pollutant levels in the runoff and should be sufficient for any proposed land use (note: where risk assessment is required, this outcome would need more detailed verification).

STEP 2D: Determine Sufficiency of Pollution Mitigation Indices for Selected SuDS Components

This is an automatic step which compares the Combined Pollution Mitigation Indices with the Land Use Hazard Indices, to determine whether the proposed components are sufficient to manage each pollutant category type

When the combined mitigation index exceeds the land use pollution hazard index, then the proposed components are considered sufficient in providing pollution risk mitigation.

In England and Wales, where the discharge is to protected surface waters or groundwater, an additional treatment component (ie over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance. Protected surface waters are those designated for drinking water abstraction. In England and Wales, protected groundwater resources are defined as Source Protection Zone 1. In Northern Ireland, a more precautionary approach may be required and this should be checked with the environmental regulator on a site by site basis.

Note: In order to meet both Water Quality criteria set out in the SuDS Manual (Chapter 4), Interception should be delivered for all impermeable areas wherever possible. Interception delivery and treatment may be met by the same components, but Interception requires separate evaluation.

Sufficiency of Pollution Mitigation Indices Total Suspended Solids	Metals	Hydrocarbons	*DESIGN CONDITIONS* 1
Sufficient	**Sufficient**	**Sufficient**	Reference to local planning documents should also be made to identify any additional protection required for sites due to habitat conservation (see *Chapter 7 The SuDS design process*). The implications of developments on or within close proximity to an area with an environmental designation, such as a Site of Special Scientific Interest (SSSI), should be considered via consultation with relevant conservation bodies such as Natural England

APPENDIX F

Greenfield Run-off Calcs

Greenfield runoff rate estimation for sites

www.uksuds.com | Greenfield runoff tool

Calculated by:	Pauline Davies
Site name:	Forsyth Street
Site location:	Hopeman

This is an estimation of the greenfield runoff rates that are used to meet normal best practice criteria in line with Environment Agency guidance "Rainfall runoff management for developments", SC030219 (2013) , the SuDS Manual C753 (Ciria, 2015) and the non-statutory standards for SuDS (Defra, 2015). This information on greenfield runoff rates may be
the basis for setting consents for the drainage of surface water runoff from sites.

Site Details

Latitude:	57.70511° N
Longitude:	3.43284° W
Reference:	324391664
Date:	Jun 08 2020 14:51

Runoff estimation approach IH124

Site characteristics

Total site area (ha): 0.27

Methodology

Q_{BAR} estimation method:	Calculate from SPR and SAAR
SPR estimation method:	Calculate from SOIL type

Soil characteristics

	Default	Edited
SOIL type:	1	1
HOST class:	N/A	N/A
SPR/SPRHOST:	0.1	0.1

Hydrological characteristics

	Default	Edited
SAAR (mm):	611	611
Hydrological region:	1	1
Growth curve factor 1 year:	0.85	0.85
Growth curve factor 30 years:	1.95	1.95
Growth curve factor 100 years:	2.48	2.48
Growth curve factor 200 years:	2.84	2.84

Notes

(1) Is Q_{BAR} < 2.0 l/s/ha?

When Q_{BAR} is < 2.0 l/s/ha then limiting discharge rates are set at 2.0 l/s/ha.

As QBar is less than 2l/sec
= 2 x 0.27ha =0.54l/sec

(2) Are flow rates < 5.0 l/s?

Where flow rates are less than 5.0 l/s consent for discharge is usually set at 5.0 l/s if blockage from vegetation and other materials is possible. Lower consent flow rates may be set where the blockage risk is addressed by using appropriate drainage elements.

(3) Is SPR/SPRHOST ≤ 0.3?

Where groundwater levels are low enough the use of soakaways to avoid discharge offsite would normally be preferred for disposal of surface water runoff.

Greenfield runoff rates

	Default	Edited
Q_{BAR} (l/s):	0.04	0.04
1 in 1 year (l/s):	0.03	0.03
1 in 30 years (l/s):	0.08	0.08
1 in 100 year (l/s):	0.1	0.1
1 in 200 years (l/s):	0.11	0.11

This report was produced using the greenfield runoff tool developed by HR Wallingford and available at www.uksuds.com. The use of this tool is subject to the UK SuDS terms and conditions and licence agreement , which can both be found at www.uksuds.com/terms-and-conditions.htm. The outputs from this tool are estimates of greenfield runoff rates. The use of these results is the responsibility of the users of this tool. No liability will be accepted by HR Wallingford, the Environment Agency, CEH, Hydrosolutions or any other organisation for the use of this data in the design or operational characteristics of any drainage scheme.

APPENDIX G

Surface Water Details and Storm Events

Design Settings

Rainfall Methodology	FEH-13	Minimum Velocity (m/s)	1.00
Return Period (years)	30	Connection Type	Level Soffits
Additional Flow (%)	0	Minimum Backdrop Height (m)	1.000
CV	0.750	Preferred Cover Depth (m)	1.500
Time of Entry (mins)	5.00	Include Intermediate Ground	✓
Maximum Time of Concentration (mins)	30.00	Enforce best practice design rules	x
Maximum Rainfall (mm/hr)	50.0		

Nodes

Name	Area (ha)	T of E (mins)	Cover Level (m)	Diameter (mm)	Easting (m)	Northing (m)	Depth (m)
1	0.037	5.00	27.225	1200	314746.090	869281.920	1.350
7	0.040	5.00	27.091	1500	314753.783	869253.202	1.714
2	0.057	5.00	27.151	1500	314751.832	869260.484	1.948
3	0.035	5.00	27.303	1500	314724.814	869253.274	2.170
4	0.000		27.250	1500	314724.780	869241.317	2.147
5	0.000		27.000	1200	314744.152	869186.773	2.237
6			27.000	1200	314747.095	869185.560	2.256

Links

Name	US Node	DS Node	Length (m)	ks (mm) / n	US IL (m)	DS IL (m)	Fall (m)	Slope (1:X)	Dia (mm)	T of C (mins)	Rain (mm/hr)
1.000	1	2	22.192	0.600	25.875	25.653	0.222	100.0	150	5.37	50.0
2.000	7	2	7.539	0.600	25.377	25.358	0.019	400.0	600	5.10	50.0
1.001	2	3	27.963	0.600	25.203	25.133	0.070	400.0	600	5.75	50.0
1.002	3	4	11.957	0.600	25.133	25.103	0.030	400.0	600	5.92	50.0
1.003	4	5	57.882	0.600	25.103	24.763	0.340	170.0	225	6.88	50.0
1.004	5	6	3.183	0.600	24.763	24.744	0.019	170.0	225	6.94	50.0

Name	Vel (m/s)	Cap (l/s)	Flow (l/s)	US Depth (m)	DS Depth (m)	Σ Area (ha)	Σ Add Inflow (l/s)	Pro Depth (mm)	Pro Velocity (m/s)
1.000	1.005	17.8	5.0	1.200	1.348	0.037	0.0	54	0.863
2.000	1.211	342.4	5.4	1.114	1.193	0.040	0.0	52	0.457
1.001	1.211	342.4	18.2	1.348	1.570	0.134	0.0	93	0.656
1.002	1.211	342.4	22.9	1.570	1.547	0.169	0.0	104	0.701
1.003	1.000	39.7	22.9	1.922	2.012	0.169	0.0	123	1.034
1.004	1.000	39.7	22.9	2.012	2.031	0.169	0.0	123	1.034

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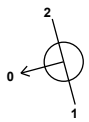
Pipeline Schedule

Link	Length (m)	Slope (1:X)	Dia (mm)	Link Type	US CL (m)	US IL (m)	US Depth (m)	DS CL (m)	DS IL (m)	DS Depth (m)
1.000	22.192	100.0	150	Circular_Default Sewer Type	27.225	25.875	1.200	27.151	25.653	1.348
2.000	7.539	400.0	600	Circular_Default Sewer Type	27.091	25.377	1.114	27.151	25.358	1.193
1.001	27.963	400.0	600	Circular_Default Sewer Type	27.151	25.203	1.348	27.303	25.133	1.570
1.002	11.957	400.0	600	Circular_Default Sewer Type	27.303	25.133	1.570	27.250	25.103	1.547
1.003	57.882	170.0	225	Circular_Default Sewer Type	27.250	25.103	1.922	27.000	24.763	2.012
1.004	3.183	170.0	225	Circular_Default Sewer Type	27.000	24.763	2.012	27.000	24.744	2.031

Link	US Node	Dia (mm)	Node Type	MH Type	DS Node	Dia (mm)	Node Type	MH Type
1.000	1	1200	Manhole	Adoptable	2	1500	Manhole	Adoptable
2.000	7	1500	Manhole	Adoptable	2	1500	Manhole	Adoptable
1.001	2	1500	Manhole	Adoptable	3	1500	Manhole	Adoptable
1.002	3	1500	Manhole	Adoptable	4	1500	Manhole	Adoptable
1.003	4	1500	Manhole	Adoptable	5	1200	Manhole	Adoptable
1.004	5	1200	Manhole	Adoptable	6	1200	Manhole	Adoptable

Manhole Schedule

Node	Easting (m)	Northing (m)	CL (m)	Depth (m)	Dia (mm)	Connections	Link	IL (m)	Dia (mm)
1	314746.090	869281.920	27.225	1.350	1200		0	1.000	25.875	150
7	314753.783	869253.202	27.091	1.714	1500		0	2.000	25.377	600
2	314751.832	869260.484	27.151	1.948	1500		1 2 0	2.000 1.000 1.001	25.358 25.653 25.203	600 150 600
3	314724.814	869253.274	27.303	2.170	1500		1 0	1.001 1.002	25.133 25.133	600 600
4	314724.780	869241.317	27.250	2.147	1500		1 0	1.002 1.003	25.103 25.103	600 225
5	314744.152	869186.773	27.000	2.237	1200		1 0	1.003 1.004	24.763 24.763	225 225
6	314747.095	869185.560	27.000	2.256	1200		1	1.004	24.744	225

Simulation Settings

Rainfall Methodology	FEH-13	Analysis Speed	Normal	Additional Storage (m³/ha)	20.0
Summer CV	0.750	Skip Steady State	✓	Check Discharge Rate(s)	x
Winter CV	0.840	Drain Down Time (mins)	240	Check Discharge Volume	x

Storm Durations

15	30	60	120	180	240	360	480	600	720	960	1440

Return Period (years)	Climate Change (CC %)	Additional Area (A %)	Additional Flow (Q %)
30	35	0	0
200	35	0	0

Node 4 Online Hydro-Brake® Control

Flap Valve	x	Objective	(HE) Minimise upstream storage
Replaces Downstream Link	✓	Sump Available	✓
Invert Level (m)	25.103	Product Number	CTL-SHE-0032-5000-1050-5000
Design Depth (m)	1.050	Min Outlet Diameter (m)	0.075
Design Flow (l/s)	0.5	Min Node Diameter (mm)	1200

Node 1 Carpark Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Invert Level (m)	26.300	Slope (1:X)	125.0
Side Inf Coefficient (m/hr)	0.00000	Time to half empty (mins)		Depth (m)	
Safety Factor	2.0	Width (m)	5.000	Inf Depth (m)	
Porosity	0.40	Length (m)	18.600		

Node 1 Carpark Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Invert Level (m)	26.000	Slope (1:X)	125.0
Side Inf Coefficient (m/hr)	0.00000	Time to half empty (mins)		Depth (m)	
Safety Factor	2.0	Width (m)	5.000	Inf Depth (m)	
Porosity	0.40	Length (m)	15.000		

Node 7 Carpark Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Invert Level (m)	25.800	Slope (1:X)	125.0
Side Inf Coefficient (m/hr)	0.00000	Time to half empty (mins)		Depth (m)	
Safety Factor	2.0	Width (m)	5.000	Inf Depth (m)	
Porosity	0.40	Length (m)	16.000		

Node 2 Carpark Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Invert Level (m)	26.000	Slope (1:X)	125.0
Side Inf Coefficient (m/hr)	0.00000	Time to half empty (mins)		Depth (m)	
Safety Factor	2.0	Width (m)	5.000	Inf Depth (m)	
Porosity	0.40	Length (m)	7.500		

Node 3 Carpark Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Invert Level (m)	26.150	Slope (1:X)	125.0
Side Inf Coefficient (m/hr)	0.00000	Time to half empty (mins)		Depth (m)	
Safety Factor	2.0	Width (m)	5.000	Inf Depth (m)	
Porosity	0.40	Length (m)	16.200		

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Node 4 Carpark Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Invert Level (m)	26.250	Slope (1:X)	125.0
Side Inf Coefficient (m/hr)	0.00000	Time to half empty (mins)		Depth (m)	
Safety Factor	2.0	Width (m)	5.000	Inf Depth (m)	
Porosity	0.40	Length (m)	16.200		

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Results for 30 year +35% CC Critical Storm Duration. Lowest mass balance: 99.78%

Node Event	US Node	Peak (mins)	Level (m)	Depth (m)	Inflow (l/s)	Node Vol (m³)	Flood (m³)	Status
1440 minute winter	1	1350	26.560	0.685	1.0	23.0961	0.0000	SURCHARGED
1440 minute winter	7	1350	26.560	1.183	2.2	24.9370	0.0000	SURCHARGED
1440 minute winter	2	1350	26.560	1.357	1.6	11.1527	0.0000	SURCHARGED
1440 minute winter	3	1350	26.560	1.427	2.0	14.1828	0.0000	SURCHARGED
1440 minute winter	4	1350	26.560	1.457	1.1	10.5348	0.0000	SURCHARGED
1440 minute winter	5	1350	24.783	0.020	0.6	0.0222	0.0000	OK
1440 minute winter	6	1350	24.763	0.019	0.6	0.0000	0.0000	OK

Link Event (Upstream Depth)	US Node	Link	DS Node	Outflow (l/s)	Velocity (m/s)	Flow/Cap	Link Vol (m³)	Discharge Vol (m³)
1440 minute winter	1	1.000	2	0.5	0.412	0.031	0.3907	
1440 minute winter	7	2.000	2	-1.6	0.297	-0.005	2.1236	
1440 minute winter	2	1.001	3	1.2	0.170	0.004	7.8765	
1440 minute winter	3	1.002	4	1.1	0.082	0.003	3.3680	
1440 minute winter	4	Hydro-Brake®	5	0.6				
1440 minute winter	5	1.004	6	0.6	0.356	0.015	0.0052	47.9

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Results for 200 year +35% CC Critical Storm Duration. Lowest mass balance: 99.78%

Node Event	US Node	Peak (mins)	Level (m)	Depth (m)	Inflow (l/s)	Node Vol (m³)	Flood (m³)	Status
960 minute winter	1	945	26.776	0.901	2.4	37.9140	0.0000	SURCHARGED
960 minute winter	7	945	26.776	1.399	2.9	32.3008	0.0000	SURCHARGED
960 minute winter	2	945	26.776	1.573	3.0	14.8851	0.0000	SURCHARGED
960 minute winter	3	945	26.776	1.643	3.8	21.6016	0.0000	SURCHARGED
960 minute winter	4	945	26.776	1.673	1.9	17.8840	0.0000	SURCHARGED
960 minute winter	5	945	24.783	0.020	0.6	0.0229	0.0000	OK
960 minute winter	6	945	24.763	0.019	0.6	0.0000	0.0000	OK

Link Event (Upstream Depth)	US Node	Link	DS Node	Outflow (l/s)	Velocity (m/s)	Flow/Cap	Link Vol (m³)	Discharge Vol (m³)
960 minute winter	1	1.000	2	-0.8	0.439	-0.046	0.3907	
960 minute winter	7	2.000	2	-2.1	0.330	-0.006	2.1236	
960 minute winter	2	1.001	3	1.8	0.193	0.005	7.8765	
960 minute winter	3	1.002	4	-2.2	0.115	-0.006	3.3680	
960 minute winter	4	Hydro-Brake®	5	0.6				
960 minute winter	5	1.004	6	0.6	0.363	0.015	0.0054	36.9

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Road Safety Audit Response

RSA File Ref

PROJECT DETAILS			
Report Title	Include RSA stage - Forsyth Street, Hopeman		
PREPARED BY			
Name	Pauline Davies	Date	01/02/2021
Position	Civil Design Engineer		
Organisation	Springfield Retail Estates Management		
Signed			
APPROVED BY			
Name		Date	
Position			
Organisation	Moray Council		
Signed			

INTRODUCTION

This report results from a Combined Stage 1 & Stage 2 Road Safety Audit carried out on the proposed mixed-use development. The project comprises of a simple priority junction access (to replace the existing 2 former garage forecourt accesses) to access parking for 2 retail units and 8 residential apartments.

The report was prepared by Richard Pearson of Drummond Black Consulting Limited.

RSA DECISION LOG

RSA Problem		RSA Recommendation	Design Organisation Response	Overseeing Organisation Response	Agreed RSA Action
Number of problem from RSA REPORT	Insert problem from RSA REPORT	Insert recommendation from RSA report	Insert design organisation's response	Insert Overseeing Organisation's response	Insert design and Overseeing Organisation's agreed action
3.1	The absence of dropped kerbs and tactile paving could lead to pedestrians tripping and falling or being struck by vehicles.	It is recommended that dropped kerbs and tactile paving are provided at the crossing facilities.	Dropped kerb/ tactile paving shown on plans		
3.2	Absence of dropped kerbs at disabled parking bays.	It is recommended that dropped kerbs are provided adjacent to the disabled parking bays.	Dropped kerbs shown to disabled bays		
3.3	Absence of footway connections to westbound bus stops.	It is recommended that a direct footway connection is provided. TMC have plans for a footway to the west of the site. Should discuss this with MC and co-ordinate with their proposals.	Pedestrian crossing removed. Dropped kerbs & tactile paving indicated on layout.		
3.4	Insufficient detail of proposed crossing.	It is recommended that the crossing is designed with the full markings and beacons as required for these crossing types.	Dropped kerbs & tactile paving indicated on layout.		
3.5	The location of the crossing could increase the risk of collisions.	It is recommended that the crossing point is installed as an informal facility.	Pedestrian crossing road markings removed. Dropped kerbs retained for 'informal crossing'		

3.6	Potential collisions with pedestrians and manoeuvring vehicles.	It is recommended that the parking bays are moved adj to the carriageway with the footway behind. It is recommended the crossing be relocated east to allow space for a reversing car to not encroach onto the crossing point.	Crossing moved closer to junction, parking bays moved towards wall, distance of 5.2m achieved		
3.7	Increase in use and lack of junction and crossing warning signs could result in a variety of collision types at the crossing/ access junction.	It is recommended that advanced junction warning signs are provided on both approaches to the junction and crossing. A "New Road Layout Ahead sign" would appear to be the most appropriate.	New road signs added to plan		

DESIGN ORGANISATION STATEMENT

On behalf of the design organisation I certify that:

1) the RSA actions identified in response to the road safety audit problems in the road safety audit have been discussed and agreed with the Overseeing Organisation.

Name	Pauline Davies	Date	01.02.21
Position	Civil Design Engineer		
Organisation	Springfield retail Estate Management		
Signed			

OVERSEEING ORGANISATION STATEMENT

On behalf of the Overseeing Organisation I certify that:

1) the RSA actions identified in response to the road safety audit problems in the road safety audit have been discussed and agreed with the design organisation; and

2) the agreed RSA actions will be progressed.

Name		Date	

Position	
Organisation	Moray Council
Signed	

REPORT OF HANDLING

Ref No:	20/00474/APP	**Officer:**	Lisa Macdonald
Proposal Description/ Address	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin		
Date:	29.03.2021	**Typist Initials:**	LMC

RECOMMENDATION		
Approve, without or with condition(s) listed below		**N**
Refuse, subject to reason(s) listed below		**Y**
Legal Agreement required e.g. S,75		**N**
Notification to Scottish Ministers/Historic Scotland		**N**
Hearing requirements	**Departure**	**N**
	Pre-determination	**N**

CONSULTATIONS		
Consultee	**Date Returned**	**Summary of Response**
Strategic Planning And Development	09/12/20	The proposal is not supported for the following reasons: • It introduces two non-conforming uses (retail and housing) on part of an existing business site (I1) contrary to LDP 2020 DP5 Part d) and the site designation • Non-conforming uses can only be considered where the redevelopment of the whole site is proposed. The application is for part of the I1 designation which is not acceptable • It would result in the loss of employment land and available sites for smaller businesses in the area to locate • The retail statement provided is insufficient and does not demonstrate that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements LDP 2020 Policy DP1/DP7

		• Hopeman has two designated housing sites and there is currently an application being considered on the R1 Manse Road site. There is also surplus effective housing land available in the wider Elgin HMA as identified in the HLA2020. There is no requirement for additional housing land to be provided in Hopeman. • The design of the building is not acceptable for a prominent location on Forsyth Street and does not reflect the traditional settlement character in terms of siting and design. This fails to comply with DP1 and EP3, and the settlement statement of Hopeman which seeks to safeguard the distinctive character of the village and • Hopeman is located within a SLA and the proposal has failed to meet the requirements of policy EP3.
Moray Council Other Depts - Housing	12/05/20	No objection – the development is not suitable for on-site provision so a commuted sum would be sought.
Planning And Development Obligations	26/05/20	Obligations sought in relation to healthcare
Moray Flood Risk Management	29/07/20	No objection subject to a condition relating to the restoration of an existing bund through which a pipe has to be laid.
Moray Access Manager	14/05/20	No objection
Aberdeenshire Council Archaeology Service	19/05/20	No objection
Environmental Health Manager	05/02/21	No objection subject to 8 conditions related to noise
Contaminated Land	21/05/20	The site is a former petrol filling station. If approved a condition would be recommended requiring a strategy to identify and deal with potential contamination
Transportation Manager	12/03/21	Objection - Reason(s) for objection: • Road Safety - Proposals do not make adequate provision for site servicing, priority and safety of non-vehicular road users. Site access visibility, access to public transport and the proposed crossing locations raise potential road safety issues which are not adequately mitigated. MLDP 2020 - PP3 a(iii, vi), DP1 ii(a, c) • Servicing – Site servicing provision and assessment is not acceptable. MLDP 2020 – DP1 ii(a,c)

		• Drainage – Drainage details for the proposed service layby are not acceptable MLDP 2020 - PP3 a(viii) • Parking – Parking space dimensions are less than the quantity of parking required is not provided in accordance with requirements of the current Planning Policy and Supplementary Guidance MLDP 2020 - PP3 a(i), DP1 ii(a) The applicant has suggested that the shared use of the retail and residential parking would make a shortfall in the individual provisions acceptable. The Transportation Service accept where uses are compatible that can be the case however in this instance the peak periods of use are likely to overlap and that arrangement would not be considered acceptable • Electric Vehicle Charging – Insufficient details MLDP 2020 - PP3 a(iv)
Scottish Water	13/05/20	No objection but it is the responsibility of the developer to confirm that a connection is available.

DEVELOPMENT PLAN POLICY		
Policies	**Dep**	**Any Comments (or refer to Observations below)**
EP1 Natural Heritage Designation	N	
PP1 Placemaking	Y	
PP2 Sustainable Economic Growth	N	
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	
DP2 Housing	N	
DP5 Business and Industry	N	
DP7 Retail/Town Centres	Y	
EP2 Biodiversity	N	
EP13 Foul Drainage	N	
EP14 Pollution Contamination Hazards	N	
Hopeman - I1 Forsyth Street	Y	
EP3 Special Landscape Areas	Y	
EP12 Management and Enhancement Water	N	

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: 170 (165 objections 5 in support)		
Names/Addresses of parties submitting representations Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
Issue: No need or want for a retail development in Hopeman. Large shops elsewhere are easily accessible from Hopeman. **Comments (PO):** The concerns of the community are noted. The compatibility of the development with surrounding uses and the retail impact of the development form part of the reasons for refusal.		
Issue: The retail unit will adversely impact on existing shops in Hopeman The loss of local shops which include facilities such as the post office would affect the character of the village and undermine the community s ability to be self-sufficient. **Comments (PO):** The potential impact in retail terms is dealt with in more detail below. The concerns are recognised and this forms part of the reasons for refusal.		
Issue: Local shops have been a lifeline for the community during the pandemic and should be supported in future. **Comments (PO):** This statement reflects a common theme across many of the representations. The concern within the community regarding the potential impact of the proposed retail unit is recognised.		
Issue: Comparisons with other similar sized shops in Moray such as Lossiemouth, Forres and Lhanbryde do not take account of the different contexts of these developments. **Comments (PO):** Every application is considered on its own merits.		
Issue: Contrary to the development plan, and aspirations for the village which seek to safeguard its distinctive character. **Comments (PO):** Concerns regarding the impact of some elements of the development on the village form part of the reason for refusal.		
Issue: Contrary to the development plan which designates the site for industrial uses and the loss of this employment land would make it difficult for a new or expanding business to be accommodated in Hopeman. **Comments (PO):** The concerns are noted. The potential loss of employment forms part of the reason for refusal.		
Issue: No requirement for additional housing in Hopeman as sites have been identified in the Moray LDP 2020. **Comments (PO):** It is recognised that two housing sites (R1 Manse Road R2 Forsyth Street) are identified in the current LDP. While there may be scope for small windfall development in Hopeman the allocated sites will principally address the demand for new housing in Hopeman.		

Issue: The reporter examining a previous local plan suggested the B9040 (Forsyth Street) should remain the southern boundary of the village and there should be no development beyond that. **Comments (PO):** It should be noted that in the current LDP the settlement boundary extends as far as the southern boundary of the application site and part of the site is covered by the Hopeman I1 designation.
Issue: A previous application (89/00415/FUL) for a house on this site was refused. **Comments (PO):** Planning history is a material consideration however given the passage of time and changes in policy in the intervening period minimal weight can be attached to this.
Issue: Sufficient land for growth and particularly housing is already identified in the LDP **Comments (PO):** Part of this site is designated (Hopeman I1) for development in the LDP and the remaining land is within settlement boundary of the village where the Council seeks to encourage development. The site is not designated for residential uses and other housing sites are identified within the LDP which are considered sufficient to meet the demand for housing in Hopeman.
Issue: Proximity to the junctions of the B9040 and Inverugie Road and the B9040 and Harbour Street **Comments (PO):** The Transportation Section has expressed concern about the position of service bay and this forms part of the reasons for refusal.
Issue: Speeding on the B9040 is already a problem. **Comments (PO):** Breaches of the speed limit are a matter for the Police. This matter is separate to the consideration of the current planning application and would not constitute a material planning consideration upon which planning permission could be refused.
Issue: Congestion particularly around access to Harbour Street is already a problem and there is no capacity for increased traffic. **Comments (PO):** The Transportation Section have objected to this application raising a number of issues in relation to road safety, servicing, road drainage and parking however they have not identified the inability of road network to accommodate additional traffic as an issue in this case.
Issue: Lack of parking will lead to increased parking on Forsyth Street (B9040). **Comments (PO):** The lack of parking provision forms part of the reason for refusal.
Issue: Proximity of the bus stop to the access is a hazard especially for children getting off school busses etc. **Comments (PO):** Concerns regarding road safety and in particularly desire lines for pedestrians and access to the bus stop have been raised by the Transportation Section and form part of the reasons for refusal.
Issue: The position of the service bay off Forsyth Street and the lack of connections to the footway is not safe for pedestrians. **Comments (PO):** This forms part of the reasons for refusal.
Issue: Public transport connections are poor and the site is not easily accessible except by car.

Comments (PO): These concerns are noted. The site would be accessible to pedestrians from within Hopeman but concern has been raised about pedestrian connections which forms part of the reasons for refusal.
Issue: The road is not safe for cyclists due the traffic and the level of parked cars. This development will exacerbate this problem. **Comments (PO):** The lack of parking within the site is part of the reasons for refusal. Parking restrictions outwith the site do not form part of the assessment of this application.
Issue: Transport Impact Study required. **Comments (PO):** A Transport Statement supported by accident data, Road Safety Audit and Street Engineers Report have been provided.
Issue: No safe pedestrian crossing across Forsyth Street (B9040). **Comments (PO):** Concerns regarding road safety form part of the reasons for refusal.
Issue: There should be no development on the coast between Findhorn and Buckie. **Comments (PO):** Part of this site is designated for development in the LDP and the remainder is within the settlement of Hopeman where the Council would seek to encourage development rather than see it sprawl into the rural hinterland.
Issue: Tourism will be affected by congestion and character of the village being eroded. **Comments (PO):** This is conjecture but the concerns of the contributor are noted. The impact of the design of the retail unit on the Special Landscape Area (SLA) forms part of the reasons for refusal.
Issue: Overdevelopment of the village. **Comments (PO):** Part of the site is designated for development and is in part a brownfield site.
Issue: The design, style and finish of the development does not fit with the character and appearance of the village. **Comments (PO):** The design of the proposed retail unit forms part of the reason for refusal. The design of the elements are considered to be acceptable in this context as there are more modern buildings in the immediate vicinity.
Issue: The design and appearance of the development is not in keeping with the Special Landscape Area. **Comments (PO):** These concerns are noted and the impact of the retail unit on the SLA forms part of the reasons for refusal.
Issue: The proposed flats are not in keeping with surrounding traditional buildings and not a typical part of the housing mix in Hopeman. **Comments (PO):** It is acknowledged that flats of this kind are not part of the traditional housing mix in Hopeman. The Council seeks to support a range of housing types and tenures to meet needs across various demographics. The absence of flats elsewhere in the settlement does not preclude demand or the need for them in the future.

REPORT OF HANDLING

Ref No:	20/00474/APP	**Officer:**	Lisa Macdonald
Proposal Description/ Address	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin		
Date:	29.03.2021	**Typist Initials:**	LMC

RECOMMENDATION		
Approve, without or with condition(s) listed below		**N**
Refuse, subject to reason(s) listed below		**Y**
Legal Agreement required e.g. S,75		**N**
Notification to Scottish Ministers/Historic Scotland		**N**
Hearing requirements	**Departure**	**N**
	Pre-determination	**N**

CONSULTATIONS		
Consultee	**Date Returned**	**Summary of Response**
Strategic Planning And Development	09/12/20	The proposal is not supported for the following reasons: • It introduces two non-conforming uses (retail and housing) on part of an existing business site (I1) contrary to LDP 2020 DP5 Part d) and the site designation • Non-conforming uses can only be considered where the redevelopment of the whole site is proposed. The application is for part of the I1 designation which is not acceptable • It would result in the loss of employment land and available sites for smaller businesses in the area to locate • The retail statement provided is insufficient and does not demonstrate that a retail proposal of this scale in Hopeman will not have an adverse impact on existing businesses in the locality. These are policy requirements LDP 2020 Policy DP1/DP7

		• Hopeman has two designated housing sites and there is currently an application being considered on the R1 Manse Road site. There is also surplus effective housing land available in the wider Elgin HMA as identified in the HLA2020. There is no requirement for additional housing land to be provided in Hopeman. • The design of the building is not acceptable for a prominent location on Forsyth Street and does not reflect the traditional settlement character in terms of siting and design. This fails to comply with DP1 and EP3, and the settlement statement of Hopeman which seeks to safeguard the distinctive character of the village and • Hopeman is located within a SLA and the proposal has failed to meet the requirements of policy EP3.
Moray Council Other Depts - Housing	12/05/20	No objection – the development is not suitable for on-site provision so a commuted sum would be sought.
Planning And Development Obligations	26/05/20	Obligations sought in relation to healthcare
Moray Flood Risk Management	29/07/20	No objection subject to a condition relating to the restoration of an existing bund through which a pipe has to be laid.
Moray Access Manager	14/05/20	No objection
Aberdeenshire Council Archaeology Service	19/05/20	No objection
Environmental Health Manager	05/02/21	No objection subject to 8 conditions related to noise
Contaminated Land	21/05/20	The site is a former petrol filling station. If approved a condition would be recommended requiring a strategy to identify and deal with potential contamination
Transportation Manager	12/03/21	Objection - Reason(s) for objection: • Road Safety - Proposals do not make adequate provision for site servicing, priority and safety of non-vehicular road users. Site access visibility, access to public transport and the proposed crossing locations raise potential road safety issues which are not adequately mitigated. MLDP 2020 - PP3 a(iii, vi), DP1 ii(a, c) • Servicing – Site servicing provision and assessment is not acceptable. MLDP 2020 – DP1 ii(a,c)

		• Drainage – Drainage details for the proposed service layby are not acceptable MLDP 2020 - PP3 a(viii) • Parking – Parking space dimensions are less than the quantity of parking required is not provided in accordance with requirements of the current Planning Policy and Supplementary Guidance MLDP 2020 - PP3 a(i), DP1 ii(a) The applicant has suggested that the shared use of the retail and residential parking would make a shortfall in the individual provisions acceptable. The Transportation Service accept where uses are compatible that can be the case however in this instance the peak periods of use are likely to overlap and that arrangement would not be considered acceptable • Electric Vehicle Charging – Insufficient details MLDP 2020 - PP3 a(iv)
Scottish Water	13/05/20	No objection but it is the responsibility of the developer to confirm that a connection is available.

DEVELOPMENT PLAN POLICY		
Policies	**Dep**	**Any Comments (or refer to Observations below)**
EP1 Natural Heritage Designation	N	
PP1 Placemaking	Y	
PP2 Sustainable Economic Growth	N	
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	
DP2 Housing	N	
DP5 Business and Industry	N	
DP7 Retail/Town Centres	Y	
EP2 Biodiversity	N	
EP13 Foul Drainage	N	
EP14 Pollution Contamination Hazards	N	
Hopeman - I1 Forsyth Street	Y	
EP3 Special Landscape Areas	Y	
EP12 Management and Enhancement Water	N	

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: 170 (165 objections 5 in support)		
Names/Addresses of parties submitting representations Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
Issue: No need or want for a retail development in Hopeman. Large shops elsewhere are easily accessible from Hopeman. **Comments (PO):** The concerns of the community are noted. The compatibility of the development with surrounding uses and the retail impact of the development form part of the reasons for refusal.		
Issue: The retail unit will adversely impact on existing shops in Hopeman The loss of local shops which include facilities such as the post office would affect the character of the village and undermine the community s ability to be self-sufficient. **Comments (PO):** The potential impact in retail terms is dealt with in more detail below. The concerns are recognised and this forms part of the reasons for refusal.		
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Issue: The design and appearance of the development is not in keeping with the Special Landscape Area. **Comments (PO):** These concerns are noted and the impact of the retail unit on the SLA forms part of the reasons for refusal.
Issue: The proposed flats are not in keeping with surrounding traditional buildings and not a typical part of the housing mix in Hopeman. **Comments (PO):** It is acknowledged that flats of this kind are not part of the traditional housing mix in Hopeman. The Council seeks to support a range of housing types and tenures to meet needs across various demographics. The absence of flats elsewhere in the settlement does not preclude demand or the need for them in the future.

Issue: The retail and residential uses are incompatible with the builders yard and offices on the adjoining site. **Comments (PO):** The concerns are noted. It is recognised that part of this site is designated for industrial uses in the LDP. It is a mixed village centre area and a range of uses are found.
Issue: Noise pollution. **Comments (PO):** A Noise Impact Assessment (NIA) has been submitted. The Environmental Health Section has been consulted and have no objection but have recommended conditions to restrict the construction working hours, the opening hours of the industrial unit and to control noise from the retail and industrial parts of the development.
Issue: Litter and problems with seagulls. **Comments (PO):** The proper management of litter etc would be a matter for the operators of the site. Concern over the seagull population is not a material planning application.
Issue: Loitering and anti-social behaviour. **Comments (PO):** Criminal activity is a matter for the Police. It is speculative to suggest these proposals would result in antisocial behaviour.
Issue: Activity at unsociable hours. **Comments (PO):** The Environmental Health Section has recommended a condition to limit the hours of operation of the industrial unit to 0800-1600 on weekdays, 0800 - 1300 on Saturdays and not at all on Sundays. No condition is recommended regarding the opening hours of the retail unit. It is likely that there would be activity into the evening but this would at a level that would be expected to be found in a mixed village area such as this.
Issue: Proximity of the proposed service yard for the retail unit to neighbouring properties. **Comments (PO):** The service yard is on the western boundary of the site and abuts the gardens of neighbouring properties. The developer has submitted a plan which shows a 1.8m high fence along the western boundary of the site which should provide screening. It is noted that the site is currently used as a builder's yard and is designated for industrial use in the LDP. Had the proposals been approved a condition requiring the submission of a noise management plan for the retail unit and to ensure that noise emissions are maintained within acceptable parameters.
Issue: The proximity of bins stores for the proposed flats to neighbouring properties. **Comments (PO):** Two bin and cycle stores and one bin store are proposed. These are reasonably sited at the rear of the flats and siting perpendicular to the southern boundary of the site. The developer has submitted a plan which shows a 1.8m high fence along the western boundary of the site which notwithstanding the change in levels between the application site and the land to the west will provide some screening from the bin stores. The proper management of the bin stores would be a matter for the operator of the building.
Issue: Impact on air quality from increased traffic. **Comments (PO):** The site is not within an air quality control area and Environmental Health have raised no objections in relation to air quality. The scale of the development would not give rise to any significant deterioration in air quality.

Issue: Height of flats will block out the sun.

Comments (PO): The proposed flats are to the east of the nearest houses. The flats do not sit wholly in line with any one house on the neighbouring street. There is a distance of at least 12m to the edge of the nearest property. Any impact on sunlight is considered to be minimal.

Issue: Overlooking and loss of privacy from the proposed flats.

Comments (PO): The proposed flats only have one upper floor window on the elevation (west) that looks onto neighbouring properties and that serves a bathroom so will have obscured glazing which will prevent overlooking. The upper floor windows on the front and rear elevations will face onto the retail unit and the telephone exchange respectively and will not create direct overlooking of neighbouring properties. The only ground floor opening on the western elevation is also a bathroom window and will also have obscured glazing which will protect the privacy of the neighbouring properties. An existing high hedge along the western boundary of the site is to be removed but an existing stone wall will be retained and the developer has submitted a plan confirming that a 1.8m fence would be provided along this boundary which would provide some screening.

Issue: Noise, dust and disruption during the construction phase.

Comments (PO): The Council's Environmental Health Section has been consulted and have recommended a condition limiting construction working houses to 0800 - 1900 hours on weekdays, 0800-1600 on Saturdays and not at all on a Sunday. Issues such as dust would be the responsibility of the site management. Any statutory nuisance would addressed by the Council's Environmental Health Section. The construction period will be for a limited period only.

Issue: The removal of an existing hedge between the application site and the houses to the west.

Comments (PO): An existing high hedge along the western boundary of the site is to be removed however a high stone wall will be retained which will safeguard amenity and privacy for the neighbouring properties. Additional planting is also proposed along the boundary.

Issue: The flats have limited curtilage or amenity space.

Comments (PO): the space available is typical of this type of development and not out of character with the high density development in more traditional parts of Hopeman.

Issue: The site should be retained as open space for the community.

Comments (PO): The site is within the settlement boundary of Hopeman and part of it is covered by the Hopeman I1 designation in the LDP. Other areas of open space are identified and given protection in the LDP. There remains a need to identify industrial designations within the settlement to support the economy.

Issue: Impact on the natural environment and in particular bats.

Comments (PO): The development is a brownfield site and as such there is limited flora and fauna across the site. A bat survey found no evidence of bats in the existing buildings. New planting and biodiversity enhancements including bird boxes around the proposed flats are proposed.

Issue: Flood Risk.

Comments (PO): A Flood Risk Assessment (FRA) has been provided which has concluded that the development will not increase the risk of flooding on site or elsewhere. Neither SEPA or Moray Flood Risk Management have objected.

Issue: The existing drainage network cannot accommodate additional development. **Comments (PO):** A Drainage Impact Assessment (DIA) Moray Flood Risk Management and Scottish Water have been consulted and neither objects to the proposal.
Issue: Concerns regarding the existing drainage scheme (approved under 17/00894/APP) including its description in supporting documents, alleged deviations from the approved plans and maintenance of the scheme. **Comments (PO):** It is noted that the original submission erroneously referred to the drainage scheme as a flood alleviation scheme. This has been addressed in a revised document. Issues relating to the permission for the drainage scheme will be addressed separately from this application.
Issue: Impact on local healthcare facilities. **Comments (PO):** A developer obligation in relation to local healthcare facilities would be sought should the application be approved.
Issue: This development will set a precedent for further development on the south side of Forsyth Street (B9040) and forms part of a wider programme of development sought by this developer. **Comments (PO):** Every application is considered on its own merits. The site is within the settlement boundary of Hopeman as identified in the MLDP and part of covered by a specific designation (Hopeman I1). Acceptable development on this site would be in accordance with policy.
Issue: Neighbour notification was not properly carried out. **Comments (PO):** Neighbour notification must be served on all properties with an address the planning authority can identify that fall within 20m of the application site boundary. The matter has been investigated and notification of surrounding properties was properly carried out correctly.
Issue: Affordable housing should be allocated to people from the village. **Comments (PO):** For the avoidance of doubt the proposed flats will be open market development. A separate financial contribution towards affordable housing would be sought should the application be approved.
Issue: The current restrictions due to the pandemic are allowing the developer to circumvent the system and preventing pre-application consultation and public meetings. **Comments (PO):** The application is not a major application as defined by The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 therefore no formal pre-application consultation with the community was required in this case. Neighbour notification, advertisement and consultation have been unaffected by the pandemic. Procedures have been correctly followed. The application has been advertised twice and engagement with the process has been high.
Issue: The development is a schedule 3 development and should have been treated accordingly. **Comments (PO):** Schedule 3 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 species classes of development that require additional publicity due to their location, nature or scale. These were previously known as bad neighbour developments. The planning authority did not judge the application to be a schedule 3 development in part due the previous and existing uses of the site.

Issue: Criticism of the developer. **Comments (PO):** The identity of the developer is not a material consideration.
Issue: Comments relating to the recent application for 22 houses to the west of this site. (16/01663/APP). **Comments (PO):** Every application is considered on its own merits and this is not material in the consideration of this application. The development referred to was approved separately by the Scottish Government.
REPRESENTATIONS IN SUPPORT OF PROPOSAL **Issue:** The development would tidy up a prominent site within the village. **Comments (PO):** The comments are noted. Part of this site is allocated for development in the MLDP 2020 and proposals that accorded with policy and were acceptable in all other regards.
Issue: The proposed retail unit would provide more choice for consumers. **Comments (PO):** The comments are noted. The planning authority does not seek to restrict choice or interfere in the market however there is a duty protect the vitality and viability existing centres and in this instance the impact is judged to be significantly detrimental.
Issue: The proposed flats would offer opportunities for local people to stay in the village. **Comments (PO):** The comments are noted. The siting of the proposed flats is not in accordance with policy but other housing sites are identified within Hopeman.
Issue: Hopeman must continue to evolve for the sake of future generations and must consider the needs of all demographics. **Comments (PO):** The comments are noted. The site is allocated for development in the MLDP 2020 and proposals that accorded with policy and were acceptable in all other regards. Future proposals should consider the needs of the whole community.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (LDP) unless material considerations indicate otherwise. The main planning issues are considered below:

The Proposal
This application seeks Planning Permission for a 372m2 retail unit, 111m2 industrial/commercial unit and eight flats arranged in two 1 □ storey blocks. A total of 42 (18 for the flats, 20 for the retail unit (incorrectly noted as 22 on the submitted drawing) and 4 for the industrial unit) parking spaces are also proposed along with a service yard for the retail until and bin and bike shelters for the flats. The flats will have air source heat pumps installed. The retail unit has simple rectangular foot print and a mono-pitch roof. The building will be rendered with the entrance timber clad and another section finished in stone. A standing seam roof is proposed. The industrial/commercial unit is a simple rectangular building with a pitched roof and a large roller door on the northern (roadside) elevation. It will be metal clad. The flats consist of two identical 1 □ storey blocks which are designed in an essentially modern style with some traditional features. The flats will be rendered with some

elements picked out in stone and timber to add interest. These materials match those proposed for the retail unit. A concrete roof tile is proposed. It is proposed that the existing access from Forsyth Street is improved to serve the development. Surface water drainage will be connected to an existing system including an attenuation basin which has been built to the east of the site under a separate permission (17/00894/APP). The development will be connected to the public sewer and water supply.

The Site

The site is a brownfield site to the south of Forsyth Street in Hopeman. It was previously a garage and petrol filling station and a collection of buildings remain in the northern part of the site. The southern part of the site is partly used for the storage of building material and a collection of other items some of which may be linked to the previous use of the site. The public road (Forsyth Street) forms the northern boundary of the site is and there is currently direct access along the frontage of the site. There are houses to the west of the site on Inverugie Road. There is a builder's yard and offices to the east and a telephone exchange to the south. There is an existing hedge around the southern part of the site. The houses to the west have stone walls of varying heights along the boundary.

The site is wholly within the settlement boundary of Hopeman as identified in the Moray Local Development Plan (LDP) 2020. The southern part of the site including the proposed flats and a large portion of the proposed parking is covered by the Hopeman I1 designation which seeks to protect is an existing business area. The site is within the Burghead to Lossiemouth Coast Special Landscape Area (SLA) as identified in the LDP.

Principle of Development (DP1 & DP5)

Part of the site including the flats, a proportion of the proposed parking and the service yard for the retail unit are with the Hopeman I1 designation. This occupies the western portion of the I1 designation but not the whole of the designation. The proposed retail unit, the commercial/industrial unit and the rest of the parking sit outwith the I1 designation on "white land" within the settlement boundary. The application must be considered as a whole and it is noted that the retail proposal relies on parking and servicing within the I1 designation. The industrial/commercial unit is sited within "white land" and in principle would be acceptable in this location provided that the other requirements of the development plan were met. The agent has advised that this element is intended to be a small scale car garage operation following on from the previous use of the site. Should the application be approved the use of this unit should be controlled by condition.

The Hopeman I1 designation reflects the fact the site has historically had a business use and the site is considered as an "established business area" for the purposes of the LDP. The provision of employment land is required to support the aims of the Moray Economic Strategy. The provision of effective employment land is a long standing issue in Moray and it is important that a variety of sites are retained for business or employment uses especially in smaller settlements where there are fewer opportunities for local businesses. Policy DP5 Business and Industry (d) states that established business areas will be protected from non-confirming uses such as housing and uses such as retail which do not fall within the definition of business (class 4-6) will only be supported where the total redevelopment of the site is proposed. In this case the proposal introduces two non-conforming uses. The proposed flats are a non-conforming use sitting entirely within the I1 designation. The current LDP allocates two sites (R1 Manse Road R2 Forsyth Street) for the development of housing in Hopeman. These designations have a combined indicative capacity of 97 units. This will provide ample opportunity for development and expansion of the village. Hopeman is within the Elgin Local Housing Market Area where there is no shortfall in the provision of housing land coming forward. While the plan does recognise scope for some windfall development within settlements this should only happen where all other requirements of the LDP are met. There is no need for additional housing land in Hopeman and the proposed flats would lead to a loss of employment land within the village. The retail element of the proposal is reliant on a service yard and some parking within the I1 designation. Uses that are not-business (class 4-6) uses such as this

are only supported by policy DP5 where the total redevelopment of the site is proposed. The majority of the I1 designation would remain undeveloped in this case therefore the proposal does not comply with this part of the policy. This proposal would introduce non-conforming uses into a site with established business use and would result in the loss of future employment land from the village. It also has the potential to jeopardise the development of the remainder of the I1 site as there may be issues of compatibility between business, industrial or commercial uses and the proposed flats and retail unit. In introducing two non-conforming uses to the Hopeman I1 designation the proposal will undermine the effective supply of employment land contrary to policies DP5 (d) and the Hopeman I1 designation.

Retail Impact (DP7)

Policy DP7 Retail/Town Centres requires applications that will attract significant footfall to demonstrate that there is no unacceptable individual or cumulative impact on the vitality and viability of the network of town centres identified in Table 6 Retail Centres and Roles of policy DP7. Although Hopeman is not referred to in table 6, it is identified as a "smaller town and village" in the spatial strategy which is the same as settlements such as Rothes and Dufftown which are local centres within table 6. Hopeman does not have a town centre but Harbour Street effectively functions as the High Street of the settlement and contains a number of shops that cater for the convenience shopping needs of the community. It is therefore entirely reasonable to request that the impacts on Harbour Street and other retail within the catchment are properly assessed as any impacts could result in a change in Hopeman s distinctive character which the LDP settlement text explicitly seeks to protect. Significant trade diversion from Harbour Street could lead to shop closures which would alter the mixed character of the street and affect its historic role within the settlement. The proposed unit is sited on the edge of the settlement in a location that could discourage trips to the businesses on Harbour Street. A Retail Statement was therefore sought to demonstrate the impact in this case. It should be noted that while the policy seeks to protect existing centres it does not seek to artificially restrict competition. This is in line with Scottish Planning Policy paragraph 40 which states development should be directed to where it would have the most benefit for the amenity of local people and the vitality of the local economy.

A Retail Statement has been provided along with follow up comments in response to points raised by the Council. The Retail Statement identifies convenience goods expenditure in the Hopeman catchment area of 4.85m (not accounting for tourist expenditure) and states that existing shops within the town have a combined turnover of 1.38m. The 3.47m surplus is likely to currently leak to other shops in nearby larger centres. The proposed store has a predicted turnover of 2m and the Retail Statement contends that could accommodated entirely from the expenditure currently leaked to Elgin and Forres leaving at least 1.47m of expenditure available within the catchment for other businesses to absorb. While the figures are not disputed this is considered to be a significant over simplification of the situation. The proposed retail unit is presented as a local shop that would meet the needs of the community rather than a large super market with a broader catchment. It is unrealistic to assume that 100 of the turnover of the proposed retail unit will be from expenditure currently leaked to larger centres. In practice shoppers are unlikely to switch their entire weekly shop from a larger superstore in Elgin or Forres to a local small supermarket. It would be more useful to consider the level of leaked expenditure for convenience top-shopping but no figures on this have been provided so the assessment cannot be made. Furthermore, it is considered unreasonable for the Retail Statement to entirely discount the potential for trade diversion from existing shops in Hopeman as these shops principally provide top-up convenience shopping and are therefore likely to be competing for the same type of expenditure. The absence of detail on top-up shopping leakage and the unrealistic assumptions made in relation to potential trade diversion from existing shops in Hopeman means that no meaningful assessment of the retail impact can be made. The application has therefore failed to demonstrate that there will be no impact on the distinctive character or the vitality and viability of Hopeman and as such is contrary to policy DP7.

Access and Parking (DP1 & PP3)

The site will be accessed from Forsyth Street as it is at present and a service layby is proposed in

front of the proposed retail unit with direct access from Forsyth Street. Parking for the retail unit and flats is provided in the central part of the site. Parking for the industrial/commercial unit is provided in front of the proposed building directly off Forsyth Street. A Transport Statement supported by accident data, Road Safety Audit and Street Engineers Report has been submitted. The Transportation Section have raised concerns about road safety, servicing arrangements, road drainage and parking provision.

A Road Safety Audit (RSA) has been prepared with input from the Council as Roads Authority. The Audit identifies a number of issues and makes recommendations in respect of each. It is noted that the response submitted in support of this application by the designer was not provided to the auditor before submission and a number of the recommendations made have not been addressed. The RSA highlights that a footway is proposed to the west of the site beyond the proposed service bay for the retail unit but there is no indication of how these proposals would tie in with that and how road safety could be secured. The RSA also recommended moving the parking for the industrial/commercial unit directly adjacent to the road with the footway behind. This recommendation has not been followed through however it should be noted that while the currently proposed arrangement that would require vehicles to cross footway to access the parking is not acceptable on road safety grounds the Transportation Section do not support parking directly off the public road in this location. Where this is unavoidable a lay-by solution would be preferable to parking bays that would require reversing to or from the public road. Adequate visibility has not been demonstrated from these proposed parking bays and visibility is restricted to the east. The potential for vehicles to reverse across the footway and onto the public road is a significant road safety concern. In relation to road safety it is also noted that no assessment has been undertaken on likely desire lines for pedestrians coming from the village and particularly from Harbour Street. The most direct route would be at the west end of the proposed service bay where visibility is considered to be an issue. Similarly access to the west bound bus stop has not been addressed. Finally in relation to road safety it is noted that the foot way along the frontage of the site varies in width and at some points is less than 2m wide. A minimum 2m wide footway is required in this location to ensure the safety of pedestrians. The proposals do not make adequate provision for the priority and safety of non-vehicular road users and the site access visibility, access to public transport and the proposed crossing locations raise potential road safety issues which are not adequately mitigated. The proposal has failed to address the impact of the development in terms of safety and efficiency contrary to policy PP3 Infrastructure and Services (a) (iii) and failed to secure safe entry and exit for all road users or provide safe access to and from the road network and address impacts on road safety contrary to policy DP1 Development Principles (ii) (a □ c).

The proposed servicing arrangements are also a cause for concern. It is good practice for servicing and loading to take place on site and away from the public road. This site is considered to be of sufficient size to accommodate a servicing and delivery area within the site. The current proposal is for a service layby for the proposed retail unit in front of the building with direct access from Forsyth Street. Drawings have been provided which illustrate visibility for traffic approaching from the west but does not account for the possibility of vehicles been parked at the eastern end of the service layby which would significantly reduce visibility nor do they account for the positioning of motor bikes in the road. The proposed repositioning of a lighting column is also a concern as it could impact on visibility but this has not been considered.

Servicing is also likely to be required for the industrial/commercial unit but no details have been provided. Direct access from Forsyth Street is unlikely to be acceptable.

A bin collection area for the flats is provided within the site. This would require the bin lorry to enter the site and reverse in a private car park which is an arrangement the Council□s waste management policy seeks to avoid wherever possible. The proposed car park has a 6m wide aisle but the parking spaces are 200mm shorter than standard leaving very little room for reversing of a bin lorry. The swept path analysis provided demonstrates that this is possible but with no margin for error.

The proposed servicing arrangements and the assessments provided in support of them are not acceptable and do not provide infrastructure at a level appropriate for the development or adequately address the impacts of the development contrary to policy DP1 (ii) (a c).

The proposal also fails to adequately address the drainage from the proposed service layby. The drainage proposals provided in relation to the wider drainage of the site would not be sufficient to address the drainage from the service layby and ensure that it did not impact on the public road. The application has failed to demonstrate that drainage from the service bay can be appropriately managed and will not adversely impact on the public road. This element of the scheme does not accord with policies DP1 (ii) (c) (iii) (a) and EP12 Management and Enhancement of the Water Environment.

The proposed parking arrangements are also a significant cause for concern. Moray Council parking standards require parking bays of at least 5.0m x 2.5m. This is smaller than the National Road Development Guidelines which recommend 5.5m x 2.9m. All the proposed parking bays are 4.8m x 2.4m and therefore do not meet Moray Council Standards.

The revised site plan states that 22 parking spaces are provided for the proposed retail unit which is the amount required in line with the Council s parking standards which requires 22 spaces and 3 disabled spaces for the development. However, the drawing shows only 18 spaces and 2 disabled spaces which are additional to the basic requirement. The required 18 spaces are shown for the proposed flats. The agent has suggested that sharing of parking spaces to overcome the shortfall however given that the peak periods of use are likely to overlap this is not considered to be a practicable or acceptable solution. Road safety concerns in relation to the positioning of the parking for the proposed industrial/commercial unit are noted above. It is also noted that the level of parking does not meet Council Standards for commercial development of this scale a two disabled spaces would be required and only one is shown. Overall there is a shortfall of 4 parking spaces and on disabled space for the proposed retail unit and one disabled space for the proposed industrial/commercial unit. Furthermore, the proposed spaces are not large enough to meet the minimum required by the Council s parking standards. In failing to comply with the Council s parking standards the proposal is contrary to policy DP1 (ii) (e).

Two Electric Vehicle (EV) charging spaces are shown on the plan for the retail unit which meets the minimum requirement in terms of number provided. The specification submitted does not meet the minimum Rapid Charger specification. The plans show 8 EV charging points for the proposed flats but no specification has been provided. One Fast EV charging point is required for the industrial/commercial unit but that is not shown on the proposed plans. In failing to provide adequate EV charging facilities the proposals are contrary to policy PP3 (a) (iv).

It is noted that cycle stands and storage are shown on the proposed layout at an acceptable level but no details are provided. Cycle storage must be covered and secured. This could be adequately controlled by condition should the application be approved.

Design and Materials (PP1, DP1 & EP3)

The settlement statement for Hopeman states that the distinctive character of the village should be safeguarded. The proposed retail unit is a simple rectangular building with a mono-pitched roof. The drawings show it finished in a white synthetic render system with elements of timber cladding and stone on the northern and eastern elevations. A standing seam roof is proposed. The building would sit parallel to Forsyth Street but the entrance is proposed to be on the eastern gable. No traditional shop frontage is proposed on either elevation. It is acknowledged that the building has been designed to be functional but the design does not reflect the distinctive character of the village. The northern elevation which fronts onto the road has one large window close the entrance to the shop along with two high level windows and two service doors. An attempt has been made to break up the northern elevation by introducing different materials but it lacks interest and features such as openings that will create activity on this elevation. Other buildings on Forsyth Street typically present

a strong frontage to the road and this proposal represents a deviation from this well established pattern of development. This is a central and prominent location within Hopeman and the proposed building fails to follow the established pattern of development or reflect the distinctive character of the village. The site is within the Burghead to Lossiemouth SLA where the Council seeks to encourage the highest standards of design and in failing to provide a strong roadside frontage the proposal is considered to fall below that standard and fails to reflect the traditional settlement character contrary to policy EP3 Special Landscape Areas and Landscape Character. Furthermore this part of the proposal is not of a character to that is appropriate to the surrounding area or creates a sense of place contrary to policy DP1 (i)(a) and policy PP1 Place making (i).

The proposed flats are arranged in two detached blocks each containing four units. The blocks are 1 storey with full height projecting gables on the front (northern) elevation and a single storey entrance projection on the rear (south). The walls will be finished in a white synthetic render system with some elements of timber and stone cladding with concrete tiles on the roof. The original design has been amended to given the buildings a slightly less suburban and more traditional appearance. The large entrance projection has been moved from the front to the rear and more traditional detailing has been added above the upper flow windows to create a stronger, more traditional frontage. Stone cladding has also been added to the central element of the front elevation to add interest and better reflect the appearance of surrounding traditional buildings. Some timber cladding has also been added. The design demonstrates a broadly traditional form and style and the incorporation of some more traditional materials is welcomed. The flats are well set back from the road and will not be read directly alongside existing traditional houses. The design and materials are considered to be acceptable in this setting and will not undermine the distinctive character of Hopeman. The design and materials of the flats complies with policies PP1 (i), DP1 (i) (a) and EP3.

The proposed industrial/commercial unit is simple and functional rectangular building with a pitched roof. It will be metal cladding. It is a simple and functional building that is relatively small and will not have a significant impact on the street scene. Functional buildings such as this are part of the architectural mix in Hopeman and it is the considered to be acceptable in this setting. The design and materials of this element complies with policies PP1 (i), DP1 (i) (a) and EP3.

Amenity (DP1 & EP14)

A Noise Impact Assessment (NIA) has been submitted which assesses the impact of noise associated with the retail unit and the commercial/industrial unit. The NIA concluded that noise from the development could be effectively managed in a way that did not adversely impact on the amenity of individuals or the wider area. Following clarifications to the NIA the Environmental Health Section have no objection but have recommended a series of conditions including limiting construction working houses to 0800 - 1900 hours on weekdays, 0800-1600 on Saturdays and not at all on a Sunday Comments and limiting the hours of operation of the industrial unit to 0800-1600 on weekdays, 0800 - 1300 on Saturdays and not at all on Sundays. No condition is recommended regarding the opening hours of the retail unit but the level of activity and noise this is likely to generate is considered to be acceptable in a village setting. A condition is recommended requiring the submission of a noise management plan for the retail unit and to ensure that noise emissions are maintained within acceptable parameters. The recommended conditions would ensure that the development had no unacceptable impact due to noise and would ensure that the development complied with policies DP1 (iii) (c) and EP14 Pollution, Contamination and Hazards.

In relation to privacy and overlooking in respect of the proposed flats it is noted that only bathroom windows are proposed on the western elevation and these will have obscured glazing. This will be sufficient to prevent any overlooking or loss of privacy from the properties to the west. . It is noted in response to representations specific concern has been expressed about the proximity of the service yard for the retail until and the bin stores for the flats to the properties to the west. The developer has submitted a plan which shows a 1.8m high fence along the western boundary of the site which will replace an existing high hedge. While there is a change of levels between the application site and the houses to the west the fence will provide a barrier and some screening. The development will not

adversely impact on neighbouring properties in terms of privacy and as such the proposal accords with policy DP1 (i) (e).

Flood Risk Drainage (DP1, EP12 & EP13)
The site is identified on the SEPA flood risk maps as at risk of surface water (pluvial) flooding. In addition it has been highlighted that there was a risk of pluvial flow from Gallow Hill accumulating south of the site within an existing ditch but not within the site. A Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA) have been submitted in support of the application.

In 2018 (17/00894/APP refers), a swale and attenuation basin was constructed to collect surface water from potential development around the south of Hopeman. This scheme includes a bund which runs to the south of the current application site and an attenuation basin to the east. This is not a flood alleviation scheme however the swale is designed to intercept flows from Gallow hill and will improve drainage around the site reducing risk of surface water flooding. Surface water from the proposed development will connect to the existing system (17/00894/APP). Moray Flood Risk Management have been consulted and have no objection. The existing arrangements have been designed to sufficient standard to accommodate the proposed development and will ensure that surface water from the development is dealt with in a sustainable manner in accordance with policies DP1 (iii)(a) and EP12 Management and Enhancement of the Water Environment (b). Furthermore these arrangements will ensure that the development does not increase the risk of flooding on site or elsewhere. This part of the proposal accords with policies DP1 (iii) (b) EP12 (a).

The development will be connected to the public sewer and water supply. Scottish Water have no objection thereby ensuring compliance with policy EP13 Foul Drainage. It remains the reasonability of the developer to secure a connection to public utilities.

Contaminated Land (EP14)
The site is a former petrol filling station. If approved a condition would be recommended requiring a strategy to identify and deal with potential contamination. Subject to the recommended condition the proposal would comply with policy EP14 Pollution, Contamination and Hazards.

Protected Species & Biodiversity (EP1 & EP2)
A bat survey of the existing garage building on site has been carried out. This found no evidence of bats using the building and no further work is required. The proposal complies with policy EP1 Natural Heritage Designations.

Policy EP2 Biodiversity requires that all developments retain, protect and enhance features of biological interest on site. This is a brownfield site that has become increasingly unkempt. There is limited biological interest on site. A non-native hedge will be removed along the western boundary and some replacement planting is proposed. Additional wild flower and native species planting could be sought by condition. The agent has updated the plans to show bird boxes on the flats which will increase the biodiversity on the site. Given the current condition of the site the proposals are acceptable in relation to biodiversity and comply with policy EP2.

Developer Obligations
A developer obligation of £8256 towards the expansion of Moray Coast Medical Practice has been sought. The applicant has expressed a willingness to pay should the application be approved.

Conclusion
The proposal would introduce non-compliant uses onto a site designated for business uses and would jeopardise the future development of the rest of the Hopeman I1 designation contrary to policy DP5 Business and Industry. There are two housing designations in Hopeman in the current LDP and there is no shortfall in the effective housing land supply in this local housing market. While the plan does recognise scope for some windfall development within settlements this should only happen where all other requirements of the LDP are met. There is no need for additional housing land in

Hopeman and the proposed flats would lead to a loss of employment land within the village. The application has failed to demonstrate that the proposed retail unit will not adversely impact the distinctive character or vitality and viability of Hopeman contrary to policy DP7 Retail/town Centres. The design of the proposed retail unit is not considered to be of sufficiently high standard to fit with the distinctive character of the settlement or the SLA. Furthermore the proposal has not provided satisfactory arrangements in relation to road safety, access, servicing, road drainage, parking or EV charging and is contrary to policies PP3 (a) (iv), DP1 (ii) (a , c e) (iii) (a) and EP12. The proposal has failed to meet a number of the requirements of policy and there are no material considerations that are considered sufficient to justify departing from policy to this extent. Planning Permission is refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description			
16/01799/APP	Extend existing garage facility at Hopeman Service Station Forsyth Street Hopeman Elgin Moray			
	Decision	Permitted	**Date Of Decision**	11/01/17
95/00498/FUL	Alter and extend building to form spare parts store at Hopeman Service Station Forsyth Street Hopeman Elgin Moray			
	Decision	Permitted	**Date Of Decision**	24/07/95
89/00952/ADV	Erect free standing pole sign Hopeman Service Station Forsyth Street Hopeman Elgin Moray			
	Decision	Permitted	**Date Of Decision**	20/11/89
89/00415/FUL	Erect dwellinghouse Hopeman Service Station Forsyth Street Hopeman Elgin Moray			
	Decision	Refuse	**Date Of Decision**	21/08/89

ADVERT

Advert Fee paid?	**Yes**	
Local Newspaper	**Reason for Advert**	**Date of expiry**
Northern Scot	Departure from development plan	27/08/20
PINS	Departure from development plan	27/08/20
Northern Scot	Departure from development plan	11/06/20
PINS	Departure from development plan	11/06/20

DEVELOPER CONTRIBUTIONS (PGU)

Status	**A contribution is sought toward Healthcare**

DOCUMENTS, ASSESSMENTS etc. * ** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*		
Supporting information submitted with application	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name: Bat Survey Main Issues: • No evidence of bats was found in the existing building • No mitigation is required		
Document Name: Drainage Impact Assessment Main Issues: • Assessment of current conditions and existing provision • Proposals for connecting to the existing public foul sewer • Proposals for connecting surface water to existing swales and off –site detention basin		
Document Name: Flood Risk Assessment Main Issues: Assessment of prevailing conditions and flood risk • Identifies that land to the south of the village is now protected by a swale and detention basin which intercepts flows from nearby Gallow Hill • Concludes that there is no risk of flooding on site or elsewhere as a result of the development		
Document Name: Planning Statement Main Issues: • Context and background to the proposal • Detail of the proposals • Compliance with policy		
Document Name: Transport Statement supported by accident data, Road Safety Audit and Street Engineers Report Main Issues: • Transport proposals • Compliance with relevant policy • Accessibility for a range of users • Concludes that the development will be effectively integrated in the existing transport network and safe access can be achieved.		
Document Name: Retail Statement supported by an addendum in response to comments Main Issues: • There is sufficient available convenience expenditure in the catchment area to support the proposed retail unit without any significant impacts on existing convenience stores • The proposed retail unit will address an existing gap in the convenience retail offer in Hopeman.		
Document Name: Noise Impact Assessment		

Main Issues:	• Assessment of noise from all elements of the proposal • Double glazing and non-acoustic trickle vents are proposed for the houses • Limits on maximum noise emissions from retail and industrial unit

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

Please Note

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Planning Application Team
Development Operations Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended

REFUSAL OF PLANNING PERMISSION

[Heldon And Laich]
Application for Planning Permission

TO [redacted]

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin

and for the reason(s) set out in the attached schedule.

Date of Notice: **30 March 2021**

[redacted]

HEAD OF ECONOMIC GROWTH AND DEVELOPMENT
Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal would be contrary to policies PP1, PP3, DP1, DP5, DP7, EP3, EP12 and Hopeman I1 Designation of the Moray Local Development Plan 2020 for the following reasons:

1. The proposal would introduce non-compliant uses (flats and retail) onto the Hopeman I1 site which is protected for business uses. There is no need for additional housing land in Hopeman as there are two housing sites identified in the Local Development Plan and no shortfall in the effective housing land supply. The proposed uses would lead to a loss of employment land within the village resulting in the loss of effective employment land from Hopeman and jeopardising the future development of the rest of the Hopeman I1 designation contrary to policy DP5 and Hopeman I1.
2. The application has failed to demonstrate that the proposed retail unit will not adversely impact on the distinctive character or vitality and viability of Hopeman contrary to policy DP7.
3. The design of the proposed retail unit and in particular the lack of a strong road frontage is not considered to be of sufficiently high design standard to fit with the distinctive character of Hopeman or create a strong sense of place. The proposal would be detrimental to the Burghead to Lossiemouth Special Landscape Area and contrary to policies DP1 (i)(a), PP1 (i) and EP3.
4. The application has failed to demonstrate satisfactory arrangements in relation to access for vehicles or pedestrians, access visibility, access to public transport, suitable crossing to the site or adequate servicing arrangements for any part of the development giving rise to conditions that would be detrimental to road safety contrary to policies PP3 (a) (iii) and DP1(ii) (a & c).
5. The application has failed to demonstrate that drainage from the proposed retail service bay can be dealt with in an acceptable manner contrary to policies DP1 and EP12
6. The application has failed to provide parking bays of sufficient size or number to comply with Moray Council parking standards contrary to policy DP1 (ii) (e).
7. The application has failed to provide adequate provision of Electric Vehicle Charging contrary to policy PP3 (a) (iv).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference	Version	Title
1002	A	Refuse vehicle swept path analysis
L-300		Cawdor cottage apartment
10045-C-201	C	Proposed drainage layout
20044_006		Visibility layout
20044_007		Visibility layout
L-001		Location plan
L-007		Landscaping plan
10045-C-301	A	Levels layout
L-003	J	Proposed site plan
L-102	B	Retail unit - ground floor plan
L-103	A	Roof plan
L-106	A	Retail unit - elevations sheet 1
L-107	A	Retail unit - elevations sheet 2
L-108	A	Retail unit - Section A-A
L-109		Retail unit - specification notes
L-202	A	Starter unit - floor and roof plan
L-205	A	Starter unit - elevations
L-206	A	Starter unit - Section A-A
L-207		Starter unit - specifications
L-006	A	Proposed boundary treatment

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S.32A of 1997 ACT)

- Changes to layout and design including:
- Provision of additional parking.
- Changes to design of shop.
- Change to detailing of proposed flats including changes to external finishes.

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal

and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

APPENDIX 2

NOTICE OF REVIEW, GROUNDS FOR REVIEW & SUPPORTING DOCUMENTS

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100245151-014

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Springfield Real Estate Management Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Victoria	Building Name:	
Last Name: *	Mungall	Building Number:	4
Telephone Number: *	07895 705 779	Address 1 (Street): *	Rutland Square
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH1 2AS
Email Address: *	victoria@sremltd.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Steven/ SREM	Building Number:	4
Last Name: *	Jefferies	Address 1 (Street): *	4 Rutland Square
Company/Organisation	Co-op	Address 2:	4 Rutland Square
Telephone Number: *	+447895705779	Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:	+447895705779	Postcode: *	EH1 2AS
Fax Number:			
Email Address: *	victoria@sremltd.co.uk		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1:	
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	
Post Code:	

Please identify/describe the location of the site or sites

Northing	869279	Easting	314736

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin

Type of Application

What type of application did you submit to the planning authority? *

☒ Application for planning permission (including householder application but excluding application to work minerals).

☐ Application for planning permission in principle.

☐ Further application.

☐ Application for approval of matters specified in conditions.

What does your review relate to? *

☒ Refusal Notice.

☐ Grant of permission with Conditions imposed.

☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Our proposals offer a mixed use development providing significant employment opportunities should be welcomed particularly following the events of the last year and the impacts suffered by the COVID-19 pandemic A brownfield site, derelict and dilapidated with far more negative impact on the character of Hopeman, on the grounds of a very small number of flats and unfounded concerns about road safety impacts. A full supporting statement has been prepared and uploaded with this Notice of Review.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * ☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Statement Appendix 1-7

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00474/APP

What date was the application submitted to the planning authority? *

06/04/2020

What date was the decision issued by the planning authority? *

30/03/2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Concerns over some of the information handling.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? * ☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? * ☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. * ☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? * ☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? * ☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? * ☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review * ☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Victoria Mungall

Declaration Date: 28/06/2021

Refusal of Planning Permission Appeal Statement
June 2021

Planning Ref: 20/00474/APP

Demolish existing service station and garage erect retail unit light industrialunit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin

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Appendix 3 – Current Site Plan

Appendix 4 – Retail Planning Statement

Appendix 5 – Transport Statement (Inc. Vehicle Swept Path)

Appendix 6 – Road Safety Audit Stage 1&2

Appendix 7 - Drainage Impact Assessment

1.1 INTRODUCTION

1.2 This Appeal Statement is submitted by Springfield Real Estate Management Ltd in support of our appeal against the decision of Moray Council to refuse planning permission for **the demolition of an existing service station and garage and the erection of a retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street Hopeman, Elgin.**

1.3 This appeal has been submitted under Section 43A of The Town and Country Planning (Scotland) Act 1997 (as amended). We can confirm that this appeal has been lodged within the prescribed three month period from the date of refusal of the application (ref: 20/00474/APP) dated 30th March 2021.

1.4 This statement provides a description of the subject site and proposals, it is important to note that the application was validated prior to the adoption of the Moray Council Local Development Plan 2020. **Therefore, the proposal and the principles behind it were based on the Moray Council LDP 2015 (adopted 31st July 2015) and the information available in relation to this LDP – considered current**. Although this statement of appeal outlines the relevant development planning policies of the LDP 2020 as noted in the refusal notice, (PP1, PP3, DP1, DP5, DP7, EP3, EP12) it should be considered that these policies had not yet been adopted, with many of the documents referred to not available to the public via the Moray Council website. No copies of any related policy information were communicated via email.

1.5 This statement outlines material planning considerations and sets out the associated grounds for appeal. A notice of review was submitted in line with the method of appeal as noted in the letter of refusal.

1.6 All necessary reports requested during the planning period were prepared and submitted in support of this application and are available. Reports include:

- Retail Statement
- Transport statement
- Noise Impact Assessment
- Road Safety Audit Stage 1 & 2
- Drainage Impact Assessment
- Flood Risk Assessment
- Bat Survey

Within these reports, and subsequent revisions to respond to points raised from Moray Council, the points raised within the refusal have been answered in significant detail and will be further evidenced within this statement.

2.0 REASONS FOR REFUSAL & CONTESTING INFORMATION

2.1 Moray Council Point 1:

The proposal would introduce non-compliant uses (flats and retail) onto the Hopeman I1 site which is protected for business uses. There is no need for additional housing land in Hopeman as there are two housing sites identified in the Local Development Plan and no shortfall in the effective housing land supply. The proposed uses would lead to a loss of employment land within the village resulting in the loss of effective employment land from Hopeman and jeopardising the future developmentof the rest of the Hopeman I1 designation contrary to policy DP5 and Hopeman I1.

2.1.1 Supporting Information to Contest Point 1

DP5 Business & Industry (f) Areas of Mixed Use

> *'will be considered favourably where evidence is provided to the authority's satisfaction that the proposed mix will enable the servicing of employment land and will not compromise the supply of effective employment land. A Development Framework that shows the layout of the whole site, range of uses, landscaping, open space and site specific design requirements must be provided.' Moray Council LDP 2020*

The proposals set out in this report are intended to offer a mixed use development that we feel has been carefully considered, one that we feel has the best chance of success given that precedent shows this area is unlikely to thrive if developed solely for business use. Also of particular significance to the consideration of this application is the fact that the adopted LDP does not identify a town centre or other retail policy designation in Hopeman or the other settlements that fall within the catchment of the proposed store (i.e. Cummingstown and Duffus). On that basis, as there is no town or other centre within either Hopeman or elsewhere in the catchment, which are afforded protection by planning policy, Policies R1 and R2 of the adopted LDP are not applicable to the consideration of this application.

The site is immediately next to residential. The proposed residential element is not significant with only 8 dwellings, however would bring a renewed sense of community and place to the area. Something which is particularly dominant within the Scottish Government National Planning Framework and within Moray Councils own Local Development Plan. The retail element is a small footprint and should not be viewed as a large scale commercial entity, rather, a far smaller retail outlet, which will offer residents an accessible option by foot or cycle preventing unnecessary travel to the larger surrounding towns offering a far greener solution. In refusing this application, it removes substantial employment opportunities and quality affordable housing.

The Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the Development Plan unless there are "material considerations" to justify doing otherwise. Material considerations are not defined statutorily. Examples of possible material considerations are set out in an Annex to Scottish Government National Planning Framework 3 and include Scottish Planning Policy, the benefits of the environmental impact of a proposal and its design and its relationship to its surroundings.

Scottish Planning Policy

Scottish National Planning Framework 3 (NPF 3) sets out the spatial expression of the Government Economic Strategy, and plans for infrastructure investment. It is about ambition to create great places that support sustainable economic growth across the

country. It contains a presumption in favour of development that contributes to sustainable development attributing due weight to net economic benefit, the delivery of housing and the efficient use of land and infrastructure. It continues to promote sustainable economic growth and places a renewed focus on enabling high-quality development to create vibrant, prosperous and sustainable communities. The delivery of new homes is given significant prominence with the provision of adaptable, well-designed and good quality housing seen as essential to contributing to successful place making.

NPF 3 suggests that innovative and flexible approaches will be required to deliver affordable houses in suitable numbers. It reiterates, that 'All of our people are entitled to a good quality living environment.' The population of Scotland is expected to rise from 5.31 million in 2012 to 5.78 million in 2037. The population is ageing, particularly in rural areas and household sizes are getting smaller: 2010-based projections indicate that we will have 2.89 million households by 2035, an increase of 23%, it is also of extreme importance to recognise the impact of the last 18 months and the impact of the Covid-19 pandemic and a significant jump in individuals relocating to more rural settings.

NPF 3 is focused on Scotland making best use of their assets providing a sustainable future, again with uncertainty over jobs and employment and the long term effects of the last 18 months uncertain, we must review different approaches, in particular the flexibility of a mixed use development which offers an alternative to a singular designation of land.

NPF 3 calls for the creation of walkable places with well-designed streets that link our open spaces and wider active travel networks, thus improving health and well-being. It is evident that the proposals improve and promote both walking and cycle routes and introduce landscaping and biodiversity to a current brownfield site.

Employment Opportunities

In reference to the Scottish Government national planning Framework 4 (Planning for Scotland in 2050), it notes:

> *"LDPs should allocate a range of sites for business, taking account of current market demand; location, size, quality and infrastructure requirements; whether sites are serviced or serviceable within five years; the potential for a mix of uses; their accessibility to transport networks by walking, cycling and public transport and their integration with and access to existing transport networks."*

The proposed store will support approximately 5 full time & 16 part time employees. In addition to this, it is intended the proposed industrial unit could employ an additional number of staff from 2-5. The site is 0.67 acres, this arguably creates significant employment numbers which would be unlikely to be achieved with an industrial building(s) only.

The Impact of Covid-19

Given the current situation and the the impact of Covid -19, employment opportunities now are more critical than ever. On 3rd September 2020 The Scottish Government published an independent report: Internal migration in Scotland and The UK. This article notes the no of people migrating to the UK far exceeds those departing. It also notes the no of people relocating from cities to more rural locations is growing considerably. These factors should be taken into account and the housing figures re-

evaluated.

Previous Use
Planning application reference 16/01799/APP was for development on part of the current application site, and the Report of Handling associated with that earlier application states that in January 2017 parts of the application site were used for storage and car sales by third party. Taken together, this confirms that the application site has an established use profile that includes petrol and car sales, both of which are roadside uses which attract vehicular traffic, thereby meaning that the site is affected by activities which result in the site having a commercial character. These established uses will have had and do have impacts by way of vehicle movements and associated noise etc, and this contributes to the established character of the site and it's surroundings.

2.2 Moray Council Point 2:
The application has failed to demonstrate that the proposed retail unit will not adversely impact on the distinctive character or vitality and viability of Hopeman contrary to policy DP7

2.2.1 Supporting Information to Contest Point 2

No Town Centre
The adopted LDP does not identify a town centre or other retail policy designation in Hopeman or the other settlements that fall within the catchment of the proposed store (i.e. Cummingstown and Duffus). On that basis, as there is no town or other centre within either Hopeman or elsewhere in the catchment, which are afforded protection by planning policy, Policies R1 and R2 of the adopted LDP are not applicable to the consideration of this application.

Greener Methods of Travel
Within DP7 Under Section b) Outwith Town centres the LDP states that proposals must demonstrate that Brownfield or OPP sites can be made easily accessible by pedestrians and public transport, this has been evidenced on the proposed site plan and within the transport statement. The proposals enhance both pedestrian and cycle routes, creating a safe crossing on Forsyth street and a safe route to navigate through the site. A bust stop directly adjacent ensures the site is easily accessible for any individual using public transport. In addition bicycle storage has been included and would encourage greener methods of travel.

We have provided evidence within the retail statement that the proposals provide a sustainable approach providing amenities not currently available within Hopeman reducing the need for residents to travel to Elgin or Lossiemouth. This will undoubtedly reduce the number of cars having to leave and enter Hopeman to travel for certain produce.

Materials
Undersection 8.0 – Site Photographs evidence is provided that many of the buildings adjacent and neighbouring the site have material palettes which are distinctly contrasting to the context identified within policy DP7

2.3 Moray Council Point 3:
The design of the proposed retail unit and in particular the lack of a strong road frontage is not considered to be of sufficiently high design standard to fit with the distinctive character of Hopeman or create a strong sense of place. The proposal would be detrimental to the Burghead to Lossiemouth Special Landscape Area and contrary to policies DP1 (i)(a), PP1 (i) and EP3.

2.3.1 Supporting Information to Contest Point 3

All of the elements, residential, retail and industrial have been designed to maximise solar gain with the frontal elevations North facing, with residential gardens to the south and the glazed frontage of the retail element designed to prevent overheating. All roofs are pitched to ensure renewables can easily be incorporated. Materials particularly for the retail unit with the most dominating road frontage have been selected to reflect many of the buildings within Hopeman and adjacent to the site. Evidence of this is further demonstrated within Section 8.0 of this statement.

The site is currently a brownfield site, in a serious state of dilapidation and disrepair. There have been no other applications for this site. Currently there are no landscaped areas within the site, and our proposals seek to introduce elements of landscaping within the development acting as screening for the residential element with incorporated amenity space to the rear promoting health and well-being. This site is not covered by a CAT policy or an ENV policy.

2.4 Moray Council Point 4:
The application has failed to demonstrate satisfactory arrangements in relation to access for vehicles or pedestrians, access visibility, access to public transport, suitable crossing to the site or adequate servicing arrangements for any part of the development giving rise to conditions that would be detrimental to road safety contrary to policies PP3 (a) (iii) and DP1(ii) (a & c).

2.4.1 Supporting Information to Contest Point 4
Access for Vehicles
A formal junction has been created into the site where currently one does not exist, cars enter the site and leave without clearly identifiable access and egress points.

Access for Pedestrians
Site Layout Drawing No. L-003 clearly identifies a pedestrian route with pedestrian crossing points on Forsyth Street easily identified and crossing points within the site also clearly annotated.

Access Visibility
Site Layout Drawing No. L-003 was prepared and submitted in support of the application. This drawing clearly shows visibility splays and provides evidence that they meet the requirements of design criteria outlined in Designing for Streets/Moray Council guidelines.

Access to Public Transport
Several bus services serve the community of Hopeman, a bus stop directly adjacent to

the site has been clearly noted on drawings. As the site is located directly on Forsyth Street, the site is quite clearly easily accessible by public transport.

Pedestrian Crossing

A stage 1 and stage 2 road safety audit has been prepared and submitted with the planning application on the 18th January 2021. A road safety audit brief was provided by SREM in the form of an instructional email to Drummond Black Consulting containing design drawings, street engineering review and a Transport Statement. It is not general practiceof TMC to approve the audit brief and audit team prior to an audit, however the audit was considered acceptable, as qualification criteria and process of national standard had been followed. The Audit Team accepted the brief. Several points were raised and resolutions were noted. On receipt of the audit, all points were addressed and changes implemented, ensuring road safety was acceptable.

A proposed crossing on Forsyth Street has been clearly shown on all drawings. This is enhanced by the implementation of safe crossing points throughout the site. The site currently has no formal pedestrian route along Forsyth Street and there is currently no formal junction into the site.

The nature and size of this development meant it does not require any specific traffic calming.The parking access road will naturally provide traffic calming.

Servicing Arrangements

Vehicle Swept Path Layout Drawing NO. 110045/401 and 15424-1002. This drawing was prepared and submitted in support of the application. The swept path analysis was checked for Refuse Vehicle andFire Appliance vehicle types providing evidence that both vehicles can enter the site.

2.5 Moray Council Point 5:

The application has failed to demonstrate that drainage from the proposed retail service bay can be dealt with in an acceptable manner contrary to policies DP1 and EP12

2.5.1 Supporting Information to Contest Point 5

Policy EP12 suggests that any new development will not be supported if it were to be at significant risk of flooding or to materially increase the risk of flooding elsewhere. A Level 1 Flood Risk Statement provided by Envirocentre and submitted on 25th June 2020 provides significant evidence that the site is not at risk of flooding or to increase flood risk elsewhere.

Surface water from the service bay appears to be of particular concern, it is to be collected within the proposed channel drain. It then discharges into the porous paving providing the two levels of treatment required. By discharging into the new developments drainage it is being attenuated prior to discharge.

2.6 Moray Council Point 6:

The application has failed to provide parking bays of sufficient size or number to comply with Moray Council parking standards contrary to policyDP1 (ii) (e).

2.6.1 Supporting Information to Contest Point 6

Noted within the Building Standards regulations (non domestic) 2020 - 2.4x4.8m is accepted as a standard bay size. This is also the size note within the parking standards UK guidance and is the common size used throughout Scotland on various new developments. The latest 2020 standards state 2.5x5m min, this information was not published at the time of submission.

RETAIL:
The parking standards used at the time stated a max. of 6 parking bays per 100sqm for the retail unit, however, no minimum is given. Our proposals achieved 16 standard, 2 disabled, 2 EV and 2 motorcycle. The latest guidelines state we require a min. of 6 bays per 100sqm, however The floor area of the retail unit is less than 400sqm therfor 72 should not equate to 6 full bays. The standards state the min. requirement is either 5.75 (larger settlement) or 6.0 bays (other settlement) per 100sqm. It does not state 'or part thereof' as is normally the case.

This means that parking should be reduced from 23 (Moray Council requests) to 17 spaces (based on 5.75).

Please refer to the Transport Statement (Section 2.16) which notes:

> *"However, given that some of the residential parking will be vacant during key retail demand periods, it is not considered necessary to apply the full food retail parking requirement to the site given the potential for shared use.*
>
> *Co-op who are the likely tenant of the proposed unit, are comfortable that the proposed provision is sufficient to accommodate demand based on knowledge of operations at similar sized stores in areas with compatible characteristics. Given the remote location of the store, the proposed unit includes a larger storage area than would be standard, as such applying the full parking ratio to this area is onerous.*

We should also emphasise that under Scottish Government legislation, we are providing cycle bays and improved pedestrian routes encouraging greener travel and this should be recognised.

RESIDENTIAL:
The original standards state 2 spaces per 2 bed flat, plus 1 visitor per 4 flats – giving a total of 18 bays. Our layout achieved 17 standard and 1 disabled. The latest guidelines state we need 1.5 spaces per flat – with 12 provided, we have over achieved the desired number.

INDUSTRIAL
No comment on number of spaces provided/ required.

2.7 Moray Council Point 7:
The application has failed to provide adequate provision of Electric Vehicle Charging contrary to policy PP3 (a) (iv).

2.7.1 Supporting Information to Contest Point 7
We feel it is completely unrealistic to ask the client to provide full detailed design of EV charge points and cable locations at planning stage. The expense incurred in appointing a specialist to do this is not viable nor is this ever requested by any other council. Additional

supporting information could easily be conditioned. The drawings provided show the proposed locations of the charge points. A specification for the charge points was also submitted via email to Moray council on 31/08/2020.

PP3 (a) (iv) states that car charging points must be provided to all commercial and residential facilities.

RETAIL:
The standards require we provide 1 EV point per 10 spaces.
Our layout provides 2 EV charge points and there are 20 non-EV bays in total (16 standard, 2 disabled, 2 motorcycle).

RESIDENTIAL:
The standards require one future connection per flat.
Our layout provided 8 future connections – one per flat.

3.0 SITE DESCRIPTION

3.1 The Site extending to 0.67ha, is currently a brownfield site located South of Forsyth Street (B9040) The Northern edge of the boundary is bound by this road which is the main route through the town from Lossiemouth in the East towards Burghhead. On the site is a portakabin and a small single storey garage, both are in a serious state of disrepair.

3.2 Adjacent to the site, on the opposite side of Forsyth street, it is lined with residential property, this is mixed with single storey terraced sandstone cottage dwellings which have undergone refurbishment and now bore painted white render fronts, with upgraded slate roofing alongside detached bungalows with a more modern palette and a large detached sandstone dwelling, which consists of slate roofing and timber windows and doors

3.3 Part of the Eastern boundary from Forsyth Street to within 1/3 of the site is bound by a block work wall (bearing no historical significance), which leads to the edge of an existing industrial unit, changing to kerbing which leads towards the rear of the site.

3.4 Beyond the eastern boundary line, is a business premises, currently occupied by Tulloch of Cummings, this building looks almost residential in appearance, and is more modern than the sandstone residential properties on the opposite side of Forsyth Street.

3.5 The Western Edge is bound by a sandstone wall leading to an existing traditional stone front house, this runs approximately ¾ of the way towards the back of the site, with hedge planting along the remainder of the boundary. It is proposed that both shall remain untouched.

3.5 Bounding the South edge of the site is a telephone exchange, which is in poor condition with spalling render, decaying metal doors and dilapidated roof.

4.0 PROPOSAL

4.1 Planning permission is sought to erect 2 blocks of flats, a retail unit and a light industrial unit. The proposed flats are towards the southern boundary, concealed in behind the proposed retail and industrial units to ensure the single storey elements are less intrusive along Forsyth Street. A landscape strip is proposed in

front of the flats to further screen from the retail/ industrial units and Forsyth Street beyond.

4.2 The proposed housing would be finished with a materials palette of white dry dash roughcast with sections of Caithness stone, larch cladding and grey roof tiles. The same material palette is intended for the retail and industrial units. Designated Parking is proposed for the flats, however it is intended that the parking for the retail element would serve as overspill parking as it is without doubt the no of spaces provided will never be at 100% capacity. (Refer to retail statement for evidence).

4.3 Amendments were sought by Moray Council and agreed by Springfield to amend materials, provide bin stores, cycle bays, all of those requestes were met and incorporated within the design. One week prior to the refusal notice being issued, a request for bird boxes was made. Pre application discussions were undertaken throughout the planning period and

4.4 The scheme allows for improved pedestrian routes, improved cyclepaths, improved green space, and improved crossing and traffic management on Forsyth Street

4.5 The proposals were prepared with pre-application discussions undertaken with officers over a period of time. Ammendments were requested and incorporated this was right up until the point of refusal.

5.0 DEVELOPMENT PLAN POLICY

Other material considerations

The Moray HNDA found that 424 units of affordable housing will be required each year, for the next 10 years to meet housing need. The HNDA sets out that the Elgin HMA (Housing Market Areas) itself needs 192 houses every year but currently hasa limited supply therefore there is a clear and recognised shortfall. With overall lowannual completions it is very unlikely that the total number of affordable homes required will be delivered unless more dedicated 100% affordable sites similar to this one come forward. Further in reference to the NPF 3 suggests that innovative and flexible approaches will be required to deliver affordable houses in suitable numbers. It reiterates, that 'All of our people are entitled to a good quality living environment.' The population of Scotland is expected to rise from 5.31 million in 2012 to 5.78 million in 2037. The population is ageing, particularly in rural areas. This needs to be addressed now, and areas such as Hopeman are crucial to develop supply for demand.

5.0 The LHS points to a '*significant shortfall in availability of affordable housing*.' It goes onto state that '*the resources available to the Council and its partners will be the key determinant of the number affordable of houses that can be delivered in Moray during the lifetime of the LHS*' and that '*the resources for new affordable housing supply in Moray have declined significantly since 2011 and are likely to be subject to ongoing constraints*.' Local authorities and Registered Social Landlords clearly require to look towards partnership approaches with housebuilders and landowner 'enablers' to offset the gulf in the supply demand ofaffordable housing. Small, sensitive 'infill' sites such as this could go some way toassist in the delivery of increased numbers of affordable housing in Moray.

5.1 We note that Scottish Government is committed *'to increase and accelerate the supply of new affordable homes across all tenures and support local authorities to deliver their housing priorities with quality homes in mixed communities that fit local needs*.' This commitment sets a target of at least 50,000 affordable homes during the lifetime of the current Parliament backed up with investment of over £3 billion in affordable housing. In order to achieve this and to '*accelerate the supply of new affordable homes, Scottish Government wishes to work across the public and private sectors to stretch available public resources and harness increased levels of private finance in innovative ways wherever possible*.' Our proposals, which incorporate affordable housing would make a positive and meaningful contribution to local needs and help towards achieving national targets.

5.2 Designing Streets (2010) sets out the Scottish Government's aspirations for design and the role of the planning system in delivering it. This statement sits alongside the policy Designing Places on architecture and is a material consideration in determining planning applications. It places an emphasis on high standards of street and place design and stresses that this can promote a better quality of living for everyone. Fundamentally, putting people before vehicles. It places good street design before movement and calls for balanced decision-making. Our proposals are formulated with these gooddesign principles from the onset to ensure good quality developments.

Moray Local Development Plan 2015 (on which the application should have been assessed)

5.3 The Moray LDP 2015 sets out a vision that places an emphasis on supporting Scottish Government's aims of promoting sustainable economic growth, the delivery of a generous housing land supply, along with a shift towards a low carbon economy and greater emphasis on design and place making. They also consider access arrangements to the site to be acceptable.

PP1 - Sustainable Economic Growth

5.4 The subject site is not specifically allocated for housing or retail development however currently a Brownfield Site, All principals within PP1 of the LDP have been applied, the layout provides good levels of natural surveillance, well-lit routes, it promotes walking and cycling. The design of the retail and light industrial units provide spaces for flexibility and can easily change to suit economic trends. Landscaping has been incorporated onto the site, an area where there is currently none. Residential has been orientated to maximise North light and to create South facing communal gardens to the rear. The orientation of the roof pitch allows for maximum solar gain and renewables easily incorporated. The site layout plan clearly shows public frontage with private backs. Further the transport statement and the Road safety audit both emphasise the benefits of creating a formal junction and the traffic calming measures this will naturally create. It is our opinion that we have created a design which satisfies the requirements of PP1 within the LDP.

5.5 Policy PP1 supports development which helps deliver the Moray Economic Strategy and contributes towards the delivery of sustainable economic growth and the transition of Moray towards a low carbon economy. Proposals will be supported where the quality of the natural and built environment is safeguarded and the relevant policies and site requirements are met. The site is for affordable housing, contributing toward the identified supply requirements across Moray by virtue of being a 'brownfield' site, utilising a dilapidated and derelict site, it is considered that the proposed development would have a positive contribution to the aims of the Strategy, helping to support the long term growth ofElgin by providing much needed affordable housing.

PP3 - Placemaking

5.6 PP3 requires all developments to incorporate the key principles of Designing Streets, Creating Places and the council's own Supplementary Guidance (SG) on Urban Design. This SG sets out various criteria which requires to be fulfilled via a checklist. Our proposals provide for a development with a high quality design and layout which has been influenced by the site's context and existing connections. We have embraced best practice in good design standards with the six key qualities – distinctiveness, safe and pleasant, easy to move around, welcoming, adaptable and welcoming all at the forefront of the design process. Our proposals fulfil the criteria of policy PP3 principles through appropriate design/siting, provision of a positive street frontage, massing of the residential pushed towards the Southern boundary, private backs and good connectivity with surrounding housing and Forsyth Street.

Moray Local Development Plan 2020 (on which the deemed refusal references)

DP1 – Development Principles
Requires scale density and character to be appropriate to the surrounding area and create a sense of place supporting the principles of a walkable neighbourhood. The proposal carefully considers the surroundings and is sympathetic to ensure the massing is appropriate with the residential elements nestled discreetly to the Southern edge of the site. The retail element is positioned towards the front with significant improvements made to the current pedestrian and cycle routes ensuring accessibility for all.

Currently a brownfield site with no existing trees, the proposals incorporate a landscape strategy which provides screening within the site to the residential element, amenity space is created to the rear of the residential units offering privacy promoting greener more useable space. The bordering stone wall along the Western age would remain untouched.

All of the elements, residential, retail and industrial have been designed to maximise solar gain with the frontal elevations North facing, with residential gardens to the south and the glazed frontage of the retail element designed to prevent overheating. All roofs are pitched to ensure renewables can easily be incorporated.

Car parking has been positioned to the rear and it has been clearly demonstrated emergency and refuse vehicles can safely enter and exit the site. A communal refuse collection point has been included to ensure ease of kerbside collection. A significant number of cycle hoops have been included and can be increased further ensuring it exceeds the minimum requirement. 2 EV charge points have been included with duct positions and future point locations identified on Drawing L-003.

A conclusive drainage strategy has been provided in support of this application demonstrating surface water from the service bay is to be collected within the proposed channel drain. It then discharges into the porous paving providing the two levels of treatment required. By discharging into the new developments drainage it is being attenuated prior to discharge. It is unclear why this was deemed unacceptable by Moray Council and no further information was given.

DP5 – Business & Industry
This policy notes, proposals for mixed use developments will be considered favourably where evidence is provided to the authority's satisfaction that the proposed mix will enable the servicing of employment land and will not compromise the supply of effective employment land. Referring back to our opening statement, the employment opportunities for this site are significant if a mixed use development is permitted. Again given the events of the last year and the uncertainty of the employment sector, we would question a designation of industrial use solely upon the site. A mixed use development not only contributes a small number of affordable houses, it introduces an element of retail where employment rates are significantly higher, supporting the local economy. The construction of a singular industrial unit(s) and viability is very uncertain.

This policy clearly states **'the use of previously used land that is now vacant or derelict is encouraged.'**

DP7 – Retail & Town Centres

As set out in the Retail Planning Statement prepared by North Planning and Development consultants and letter of 18th September 2020, one of the most important considerations in this matter is the lack of any town centre within Hopeman or any of the other towns in the catchment area of the proposed new retail store, as that establishes a position where there is no planning policy that affords primacy to existing stores and/or that requires other sites within the catchment to be considered in the manner of a sequential assessment.

Notwithstanding that, the suggestion made by Bidwells, that evidence should be provided of other sites having been considered, indicates that the principle of retail development in Hopeman is considered acceptable, otherwise why ask for other sites to be considered. That the Forsyth Street site is not in their opinion the "optimum" is not material to the consideration of this application.

EP3 – Special Landscape Areas & Landscape Character
Policy EP3 Development proposals within SLA's will only be permitted where they do not prejudice the special qualities of the designated area set out in the Moray Local Landscape Designation Review, adopt the highest standards of design in accordance with Policy DP1. Within the Moray Local Landscape Designation Review, July 2018 it notes:

'The settlement of Hopeman was founded as a fishing port in 1805 with the harbour later expanded for export of stone from nearby quarries. Although this settlement has been considerably expanded on its periphery with modern housing development, it retains its distinct association with the coastal edge and has an intact historic core'

The proposed site is on the periphery, it is not located along the costal edge, and as noted within the review above, it is comparative to the more modern housing development previously approved by Moray Council.

Our proposal looks to introduce elements of landscaping where currently none exist thus improving the area significantly.

EP12 – Management & Enhancement of the Water Environment

Suggests that any new development will not be supported if it were to be at significant risk of flooding or to materially increase the risk of flooding elsewhere. A Level 1 Flood Risk Statement provided by Envirocentre and submitted on 25th June 2020 provides significant evidence that the site is not at risk of flooding or to increase flood risk elsewhere.

The flood risk statement is supported by SEPA flood maps and GIS analysis. An overland flow analysis and review of the SEPA flood maps highlighted that there was a risk of pluvial flow from Gallow Hill accumulating south of the site within an existing ditch but **not within the site**. In 2018, a swale and attenuation basin was constructed to collect surface water from potential developments around the south of Hopeman including the proposed site at Hopeman Service Station. The swale is designed to intercept flows from the hill and will improve drainage around the site reducing the pluvial flood risk. This existing drainage infrastructure is designed to protect the site against a 1 in 200 year RP overland flow from Gallow Hill. The assessment of flooding from all sources concluded there was no risk of flooding from fluvial, coastal or groundwater sources.

6.0 SUMMARY GROUNDS FOR APPEAL

6.1 The grounds for appeal respond to the reasons for the refusal of planning permission and demonstrate support for the proposal in relation to Development Plan policies and relevant material planning considerations as required by Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended).

6.2 Having reviewed the policy background and material considerations it is clear that sensitive proposals for the development of the site would accord with MLDP policies providing they show clear wide-ranging benefits that outweigh the value of the existing dilapidated brownfield site which is a significant detraction in its current state to the character of Hopeman.

6.3 It is now necessary to consider the main issues that arise from the proposal in relation to this appeal more specifically. The issues are considered to be the use of land not allocated for housing development and the implementation of retail. We have provided clear evidence that the provision of housing would allow for a mixed use development both assisting in the growing demand for housing but also to utilise a current brownfield site creating a successful 'place' as described in Moray Councils LDP section PP1.

6.4 The refusal report raises concerns with the parking and access arrangements, In terms of issues arising from concerns about parking and access the provided retail statement provides evidence based on a detailed analysis of other neighbouring retail units that the no of parking bays set out in the Moray Council standards is over zealous and not required The no of parking bays provided for the residential and industrial are achieved. The road safety stage 1& 2 audit provides evidence that the formation of a formal access will provide natural traffic calming and in addition to this, minor suggestions were made such as dropped kerbs and tactile paving at crossing points and disabled bays, new road layout signage to be applied. All of the items raised in the audit were implemented and revised drawings submitted to Moray Council. No evidence was provided to suggest the proposed layout could not be created safely. The provision of vehicle swept path drawings also submitted to Moray Council clearly evidence safe and adequate turning for both refuse and emergency vehicles.

7.0 CONCLUSION

7.1 The Town and Country Planning (Scotland) Act 1997, as amended, requires all planning applications to be determined in accordance with the development plan unless there are material considerations to justify doing otherwise.

7.2 Planning permission for the Erection of Affordable Housing, alongside retail and business elements providing significant employment opportunities should be welcomed particularly following the event of the last year and the impacts suffered by the COVID-19 pandemic A brownfield site, derelict and dilapidated with far more negative impact on the character of Hopeman, on the grounds of a very small number of flats and unfounded concerns about road safety impacts due to insufficient visibility splays for vehicle movements.

7.3 As highlighted previously this site has lain disused for many years, a previous garage which would have had a significant no of vehicles entering and leaving the site, and with no formal junctions in or out or any formal parking arrangements, there is no accident data to suggest there was ever a concern. Our proposals could only ever improve this with the formation of a formal junction, a safe pedestrian crossing and a safe route to navigate within the site for both pedestrians and bicycles, further promoting green travel.

7.4 We demonstrate and conclude that the proposals allow for much-needed affordable housing, our proposals provide landscaping and greenspace where there is currently none. Our proposal creates a sense of place, an area for the community and significant employment opportunities.

7.5 It is considered that the proposal is consistent with both national and local planning policies and as such Springfield Real Estate Management respectfully ask that that a positive recommendation is taken to allow this appeal.

8.0 Site Photographs – Hopeman

View along Forsyth Street looking South West

Neighbouring Property (Eastern Boundary)

Bowling Club – Forsyth Street

Adjacent Residential Property – White Render

Timber building (off of Harbour Street)

Blue Timber cladding/ White Render (Duff Street)

MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended

REFUSAL OF PLANNING PERMISSION

[Heldon And Laich]
Application for Planning Permission

TO SREM/ CO-OP
c/o Springfield Real Estate Management Ltd
4 Rutland Square
Edinburgh
EH1 2AS

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin

and for the reason(s) set out in the attached schedule.

Date of Notice: **30 March 2021**

[redacted]

HEAD OF ECONOMIC GROWTH AND DEVELOPMENT
Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal would be contrary to policies PP1, PP3, DP1, DP5, DP7, EP3, EP12 and Hopeman I1 Designation of the Moray Local Development Plan 2020 for the following reasons:

1. The proposal would introduce non-compliant uses (flats and retail) onto the Hopeman I1 site which is protected for business uses. There is no need for additional housing land in Hopeman as there are two housing sites identified in the Local Development Plan and no shortfall in the effective housing land supply. The proposed uses would lead to a loss of employment land within the village resulting in the loss of effective employment land from Hopeman and jeopardising the future development of the rest of the Hopeman I1 designation contrary to policy DP5 and Hopeman I1.
2. The application has failed to demonstrate that the proposed retail unit will not adversely impact on the distinctive character or vitality and viability of Hopeman contrary to policy DP7.
3. The design of the proposed retail unit and in particular the lack of a strong road frontage is not considered to be of sufficiently high design standard to fit with the distinctive character of Hopeman or create a strong sense of place. The proposal would be detrimental to the Burghead to Lossiemouth Special Landscape Area and contrary to policies DP1 (i)(a), PP1 (i) and EP3.
4. The application has failed to demonstrate satisfactory arrangements in relation to access for vehicles or pedestrians, access visibility, access to public transport, suitable crossing to the site or adequate servicing arrangements for any part of the development giving rise to conditions that would be detrimental to road safety contrary to policies PP3 (a) (iii) and DP1(ii) (a □ c).
5. The application has failed to demonstrate that drainage from the proposed retail service bay can be dealt with in an acceptable manner contrary to policies DP1 and EP12
6. The application has failed to provide parking bays of sufficient size or number to comply with Moray Council parking standards contrary to policy DP1 (ii) (e).
7. The application has failed to provide adequate provision of Electric Vehicle Charging contrary to policy PP3 (a) (iv).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference	Version	Title
1002	A	Refuse vehicle swept path analysis
L-300		Cawdor cottage apartment
10045-C-201	C	Proposed drainage layout
20044_006		Visibility layout
20044_007		Visibility layout
L-001		Location plan
L-007		Landscaping plan
10045-C-301	A	Levels layout
L-003	J	Proposed site plan
L-102	B	Retail unit - ground floor plan
L-103	A	Roof plan
L-106	A	Retail unit - elevations sheet 1
L-107	A	Retail unit - elevations sheet 2
L-108	A	Retail unit - Section A-A
L-109		Retail unit - specification notes
L-202	A	Starter unit - floor and roof plan
L-205	A	Starter unit - elevations
L-206	A	Starter unit - Section A-A
L-207		Starter unit - specifications
L-006	A	Proposed boundary treatment

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S.32A of 1997 ACT)

- Changes to layout and design including:
- Provision of additional parking.
- Changes to design of shop.
- Change to detailing of proposed flats including changes to external finishes.

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal

and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

A1

Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "DO NOT SCALE". The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent.

N

PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2693m² / 0.67 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOCK PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.

Rev.	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

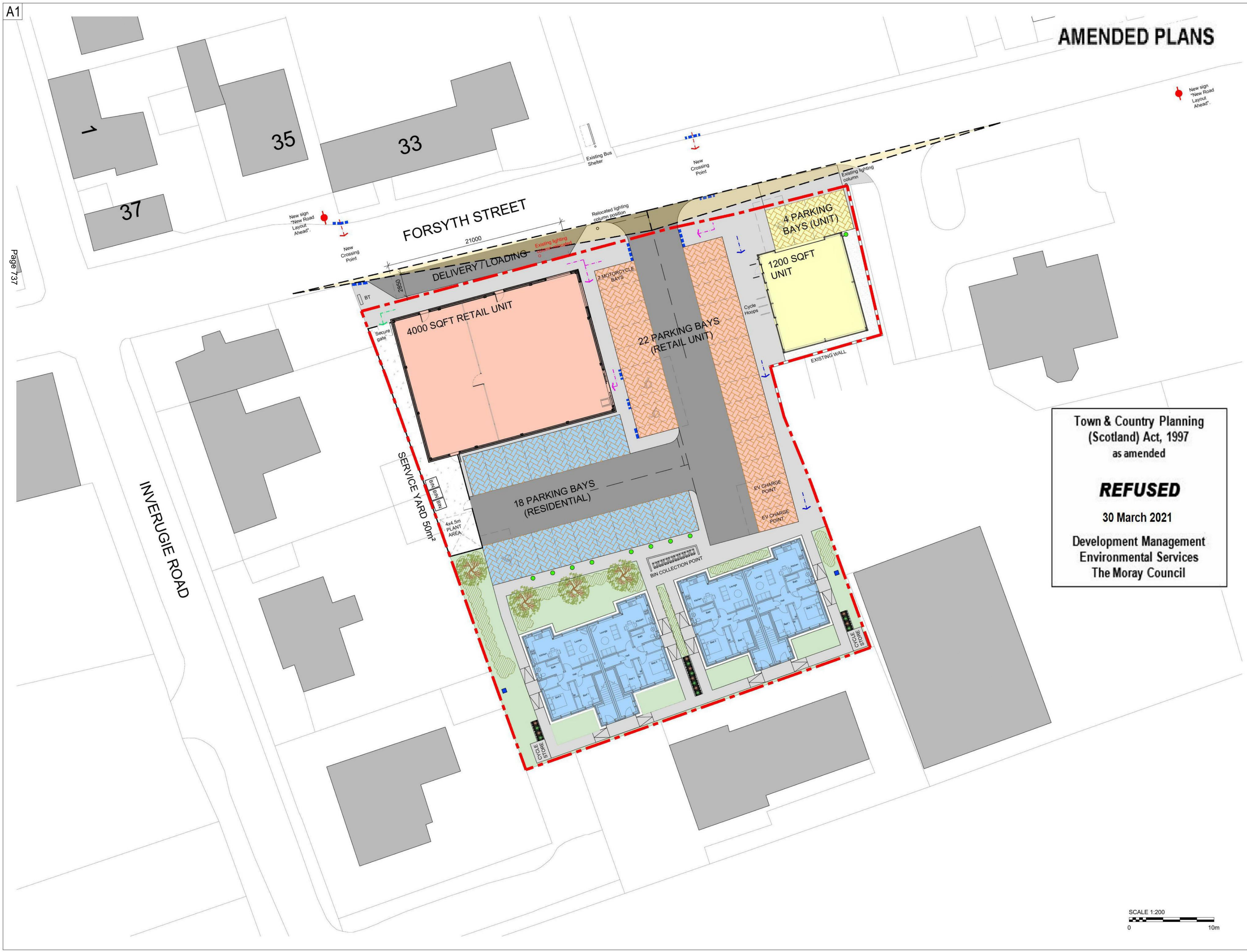
Scale	Date	Drawn by	Checked by
1:125	24.02.2020	BRL	VM

Drawing no.	Rev
L-003	-

A1

AMENDED PLANS

Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "DO NOT SCALE". The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent.



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PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2693m² / 0.67 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOCK PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.
- PEDESTRIAN ACCESS TO RETAIL/ RESIDENTIAL.
- PEDESTRIAN ACCESS TO RETAIL ONLY.
- PEDESTRIAN ACCESS TO RESIDENTIAL ONLY.
- SERVICE YARD / DELIVERY ACCESS.
- DROPPED KERB WITH TACTILE PAVING.
- NEW ROAD SIGN - "NEW ROAD LAYOUT AHEAD".
- POTENTIAL EV CHARGE POINT.
- BIRD BOX.

Town & Country Planning (Scotland) Act, 1997 as amended

REFUSED

30 March 2021

Development Management
Environmental Services
The Moray Council

SCALE 1:200
0 10m

Rev.	Date	Remarks	By	Ch.
J	16.02.2021	Landscaping updated.	BRL	-
H	05.02.2021	Door moved, disabled bay & EV added to starter unit. Additional EV point to retail parking.	BRL	-
G	03.02.2021	Footpath widened on Forsyth Street.	BRL	-
F	27.01.2021	Road safety audit & Planning updates.	BRL	-
E	31.08.2020	Motorcycle bays and bin collection note added.	BRL	-
D	21.08.2020	Loading bay extended. Pedestrian routes updated.	BRL	-
C	18.08.2020	Parking reconfigured & footpath to east boundary added to suit Planning feedback.	BRL	-
B	03.07.2020	Amendments to suit topo.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM

Drawing no. L-003

Rev J

NORTH
PLANNING & DEVELOPMENT

Retail Planning Statement

In Respect of Planning Application for Erection of retail unit (Class 1) etc at Hopeman Service Station, Forsyth Street, Hopeman
June 2020

Prepared by
North Planning and Development
2nd Floor, Tay House
300 Bath Street
Glasgow
G2 4JR

T 44 (0)141 221 2626
www.northplan.co.uk

RTPI
Chartered Town Planners

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Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Director.

DATE	ORIGINATORS	APPROVED
June 2020	David Campbell Director	Graeme Laing Director

[redacted]

Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of North Planning Development we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

1.0 Application Site and Proposal

1.1 This Retail Planning Statement is submitted in support of a planning application that has been submitted to Moray Council by Springfield Real Estate Management Ltd/Co-op seeking planning permission to Demolish existing service station and garage, erect retail unit, light industrial unit and 2 no. blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman. This Statement considers the retail element of the application against planning policy and other material considerations and sets out a clear rationale for planning permission to be granted.

1.2 The application seeks to introduce a new and modern convenience retail store which will be occupied by the Co-op, who wish to secure a presence in Hopeman to supplement their existing presence across Moray Council area, which includes stores at Forres, Lossiemouth and Lhanbryde.

1.3 The proposed new Co-op foodstore will be provided within a single storey building and with a gross floorspace of 372sqm, comprising approximately 260sqm of retail trading space and the remainder as back of house storage, staff etc areas. The main building elevations will incorporate glazing, and walls will be finished in a mix of white render and nordic spruce vertical shiplap cladding. The building will incorporate a mono pitched roof and will be finished in grey roof panels. The customer entrance is positioned on the left-hand side of the proposed building. The form and design of the building is responsive to the context provided by existing nearby buildings but is also contemporary in terms of design and materials, and the development will deliver a very positive new contribution to the streetscape. The drawings that are submitted with the application fully identify the proposals.

1.4 The proposed development will incorporate dedicated customer parking spaces and plant areas are located to the rear of the proposed retail building. The proposed shop will open 7 days a week for the daily shopping needs of residents and the store will support approximately 5 full and 16 part-time jobs.

1.5 The proposal seeks to redevelop the application site, which is currently occupied by the Hopeman Service Station which was formerly a petrol filling station. Planning application reference 16/01799/APP was for development on part of the current application site, and the Report of Handling associated with that earlier application states that in January 2017 parts of the application site were used for storage and car sales by third party. Taken together, this confirms that the application site has an established use profile that includes petrol and car sales, both of which are roadside uses which attract vehicular traffic, thereby meaning that the site is affected by activities that result in the site having a commercial character. These established uses will have had and do have impacts by way of vehicle movements and associated noise etc, and this contributes to the established character of the site and surrounds.

1.6 The proposed shop will supplement the existing shopping provision in Hopeman and will provide a high-quality shopping environment for customers and sell a wide range of products. The Co-op business is focussed on the provision of modern convenience shopping facilities and, as such, the

application seeks to facilitate the delivery of a new Co-op convenience shop for the residents of Hopeman and surrounding area. The new store will supplement the existing Co-op stores in the area and serves to demonstrate the Co-op's continued commitment to Moray Council area.

1.7 The new Co-op that is proposed will offer a wide range of convenience products, and due to the availability of convenience expenditure, as evidenced at part 3.0 of this Statement, the Co-op will have little or no impact on the other very limited existing shops in Hopeman. Rather, it is anticipated that the new Co-op store will help to retain expenditure in Hopeman that is currently going to retail stores elsewhere (i.e. Elgin and Forres) and that by drawing an element of this trade back to Hopeman will help support the vitality, viability and sustainability of the settlement by helping to reduce the need to travel, not only reducing car trips, but also ensuring that good quality shopping facilities are available in Hopeman for the elderly, the less mobile and tourists. The introduction of a new Co-op store in Hopeman will also create new jobs, a good proportion of which would be expected to be filled by residents. Retaining trade and expenditure in Hopeman through the introduction of a new Co-op shop may also lead to more linked trips to other existing shops and services within the settlement, with consequent further positive impacts in terms of money being spent locally and associated employment benefits in these other shops and facilities.

2.0 Planning Policy Assessment

2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 provides that:

> *'where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'*

Moray Local Development Plan

2.2 Moray Council adopted the current Local Development Plan (LDP) on 31st July 2015, and this sets out the key planning policies relevant to the consideration of this planning application.

2.3 The site sits within the settlement of Hopeman, as identified in the adopted LDP. Whilst part of the site is affected by Policy I1, which supports business and industrial uses, the front part of the application site, over which the Co-op store is proposed, appears to be 'white land' and so that part is not affected by Policy I1.

2.4 Also of particular significance to the consideration of this application is the fact that the adopted LDP does not identify a town centre or other retail policy designation in Hopeman or the other settlements that fall within the catchment of the proposed store (i.e. Cummingstown and Duffus). On that basis, as there is no town or other centre within either Hopeman or elsewhere in the catchment, which are afforded protection by planning policy, Policies R1 and R2 of the adopted LDP are not applicable to the consideration of this application.

2.5 Instead, Policy R3 of the adopted LDP is relevant, and this establishes as follows:

> *"Proposals for Neighbourhood and Local Shops, Ancillary Retailing, and Recreation or Tourist Related Retailing will generally be acceptable in the following circumstances:*
>
> *a) Small shops which are intended to primarily serve the convenience needs of a local neighbourhood within a settlement boundary*
>
> *These types of retailing are exempt from the sequential assessment requirement but may, when requested by the Planning Authority, be required to demonstrate that they will not have an adverse effect on the vitality and viability of the identified network of centres"*

2.6 The application proposal is for a Co-op shop which will predominantly serve the settlement of Hopeman, which has a resident population of approximately 1,700, and to a lesser extent the nearby settlements of Cummingstown and Duffus. The proposed shop will primarily serve the day-to-day convenience needs of residents within the local catchment area, and it is therefore clear that the retail element of the application proposals satisfies the requirements of Policy R3 of the adopted LDP.

n.b. It is relevant to note that Moray Council approved planning permission in 2016 for a new Co-op store in Lhanbryde. The store that was approved at Lhanbryde, and now built, is of a similar size to what is now proposed at Hopeman, the population of Lhanbryde is similar to Hopeman, and the new Co-op at Lhanbryde trades alongside a Keystore, thereby demonstrating that convenience stores can co-exist in settlements of this size. The Report of Handling associated with the Lhanbryde application justified approval of permission there due to the proposal complying with Policy R3 of the adopted LDP. This all serves to demonstrate that the Council should adopt the same approach to the retail proposal at Hopeman as they did at Lhanbryde, and conclude that the retail element of this application is in line with planning policy.

2.7 Notwithstanding the above, in addition to the retail specific policies, there are a number of other policies within the adopted Local Development Plan that provide support for the proposed retail development at Forsyth Street, Hopeman.

2.8 Primary Policy PP1 (Sustainable Economic Growth) of the adopted LDP establishes that development proposals which support the Moray Economic Strategy and contribute to the delivery of sustainable economic growth and the transition of Moray towards a low carbon economy will be supported. The application proposals meet the aims of this Policy as the development of a new foodstore here will deliver significant investment, create new jobs and reduce the need for customers to travel to other locations, thus reducing carbon emissions.

2.9 Primary Policy PP2 (Climate Change) of the adopted LDP establishes that in order to align with the Climate Change Act (Scotland) Act 2009 that new development should be in sustainable locations that make efficient use of land and infrastructure, reduce the need to travel, avoid areas at significant risk of flooding, landslip and coastal erosion. The application meets the aims of this Policy as the proposal is for the redevelopment of a brownfield site within the settlement boundary, so makes use of already developed land with existing infrastructure, the provision of a new retail store will reduce the need for residents within the catchment area to travel to other locations by private car and therefore help to reduce carbon emissions, and as the site is not affected by flooding, landslip or coastal erosion.

2.10 Policy ED8 (Tourism Facilities and Accommodation) of the adopted LDP establishes support for proposals that contribute to Moray's role as a tourist area where they demonstrate a locational need for a specific site. It is set out in the Retail Statement at part 3.0 of this report that the proposed retail store will serve the existing resident population of Hopeman and surrounding area. However, it is also anticipated that the retail store will serve to help meet the needs of tourists visiting the area. Part 3.0 of this report demonstrates that the existing shopping provision within the catchment does not provide for all of the convenience retail requirements of the catchment area, and so there is a specific locational need for a new store to be provided in Hopeman to meet the need that exists, and this is in line with terms and spirit of Policy ED8.

Proposed Moray Local Development Plan 2020

2.11 A replacement Local Development Plan is well advanced, and the planning policies that affect the application site and apply to the proposal are broadly the same as those contained in the adopted LDP.

2.12 The site is within the settlement boundary as identified in the Proposed LDP, and the site of the proposed Co-op is partly 'white land'. Policy DP7 (c) concerns Neighbourhood centres and establishes that:

> *"Small shops that are intended to primarily serve the convenience needs of a local neighbourhood within a settlement boundary will be supported. Depending on scale, proposal may be required to demonstrate that they will not have an unacceptable adverse impact on vitality and viability of the network of town centres (Table 6), by a Retail Impact Assessment or Retail Statement. Within a neighbourhood one unit of up to 400sqm designed to meet the day to day convenience needs of the neighbourhood will be supported… Neighbourhood hubs/centres should aim to contribute to the sense of community and place, the sustainability of an area, reduce the need to travel for day to day requirements and provide adequate parking and servicing areas"*

2.13 Policy DP7 repeats much of what is set out in Policy R3 in the adopted LDP and establishes a presumption in favour of the provision of neighbourhood retail facilities. The Co-op store that is proposed at Forsyth Street, Hopeman is intended to serve precisely this purpose, is for a store of less than the 400sqm referenced in Policy DP7, and will contribute to sustainability by reducing the need for local residents to travel by car for day to day shopping requirements. The application also proposes adequate and suitable parking and servicing for the proposed retail store.

3.0 Retail Statement

3.1 Notwithstanding our view that Policy R3 of the adopted Local Development Plan and Policy DP7 both establish a clear presumption in favour of the provision of neighbourhood retail facilities, and of up to 400sqm, as is proposed at Forsyth Street in Hopeman, we have, without prejudice and to help inform the determination of the application, given due consideration to retail planning matters.

3.2 In terms of issues relating to retail capacity and impact, the scale of the proposed development is such that retail impact analysis is not required. However, to assist the Council with their consideration of our client's proposals we have undertaken the following high level analysis, which demonstrates that the proposed convenience store can be comfortably accommodated without giving rise to any significant retail impact issues.

Catchment Area

3.3 In terms of a catchment, the proposed convenience store will serve Hopeman and its immediate surrounds, including Cummingstown and Duffus. It is not anticipated that the store would draw any trade from beyond these areas, owing to the scale and nature of the convenience retailing offer in Burghhead, Lossiemouth and Elgin.

Catchment Population

3.4 Data taken from the 2011 Census, indicates that the resident population of Hopeman, together with Cummingstown and Duffus is approximately **2,273 people**. This figure does not include any allowance for growth associated with existing LDP housing allocations.

Convenience Retail Expenditure

3.5 In terms of the convenience retail expenditure generated by the catchment population, reference is made to the national average convenience goods expenditure per head, which is approximately **£2,136** (Experian).

3.6 This allows us to estimate that the total convenience expenditure generated by the catchment population is in the order of **£4.85m**. This does not include any allowance for additional expenditure generated by tourists, with Moray Council reporting that the Moray economy benefits from some □128m of tourism spend annually. Consequently, our estimate of available expenditure is considered to be a conservative one.

Existing Convenience Floorspace

3.7 In terms of the existing convenience floorspace within the catchment, the table below provides a summary of the existing convenience stores, along with their estimated sales floorspaces, benchmark turnover rates, and average turnovers which have been estimated with reference

to data published by Retail Rankings. This analysis indicates that the existing convenience goods floorspace in the catchment is in the order of **£1.38m.**

Store	**Address**	**Gross Floorspace (sqm)**	**Benchmark Turnover Per Sqm**	**Estimated Average Turnover (£m)**
Costcutter	Harbour Street, Hopeman	200	□4,000	□0.80
W Reid Butcher	Harbour Street, Hopeman	60	□3,000	□0.18
Duthie Pharmacy	Harbour Street, Hopeman	60	□2,500	□0.15
Hopeman Post Office / Newsagent	Harbour Street, Hopeman	50	□2,500	□0.13
Duffus Village Shop	Gordonstoun Road, Duffus	50	□2,500	□0.13
Total				**£1.38m**

Proposed Store

3.7 The proposed Co-op convenience store will have a gross floorspace of 372sqm, with approximately 260sqm of sales space and 112sqm of back of house, non-trading space (storage, staff areas etc).

3.8 According to data published by Retail Rankings, the Co-operative Group's company average turnover is in the order of □8,000sqm. As such, the proposed Co-op convenience store is expected to have a company average turnover in the order of **£2.0m.**

Capacity to Support new Store

3.9 Taken together, there is a total available convenience goods expenditure of □4.85m within the Hopeman catchment and the existing convenience stores have a combined average turnover of £1.38m, leaving £3.47m of 'surplus' retail expenditure. As noted above, this is likely to be an underestimate as it does not take into account tourism expenditure and nor does it allow for any increases associated with population and expenditure growth.

Available Expenditure (□m)	Turnover of Existing Convenience Provision	Surplus Convenience Expenditure (□m)	Proposed Store Turnover (□m)	Residual Turnover (□m)
□4.85	□1.38	□3.47	□2.00	□1.47

3.10 The above table demonstrates how the existing catchment area provides sufficient available convenience expenditure to comfortably support the proposed store without any significant impacts on existing convenience outlets. Indeed, even after the proposed store is introduced, there would remain a residual □1.47m of convenience goods expenditure in the catchment, an amount greater than the total turnover of all the existing convenience floorspace in the catchment.

3.11 It is our considered opinion that the proposed store will serve to address an existing gap in the convenience retail offer in Hopeman, creating new employment opportunities and reducing the need for residents to travel to more remote locations by car in order to satisfy their day to day convenience shopping needs.

3.0 Summary and Conclusions

3.1 This Statement supports a planning application that has been submitted to Moray Council by Springfield Real Estate Management Ltd/Co-op seeking planning permission to Demolish existing service station and garage, erect retail unit, light industrial unit and 2 no. blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman.

3.2 The foregoing Statement demonstrates that the retail element of the planning application, which is for a new Co-op store, satisfies the planning policy requirements that are set out in the adopted Moray LDP.

3.3 Having regard to all the foregoing points and the proposal's compliance with the development plan, the proposed development is commended to Moray Council and we respectfully request that Planning Permission be duly granted.

Proposed Mixed Use Development, Forsyth Street, Hopeman

Transport Statement

July 2020

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ECS TRANSPORT PLANNING LIMITED

Client Name: Springfield Real Estate Management Ltd
Document Reference: 01
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Issue	Date	Prepared by	Checked by	Approved by
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Comments [redacted]

Comments

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1. Introduction

1.1. ECS Transport Planning Limited (ECS) has been commissioned by Springfield Real Estate Management Ltd to produce a Transport Statement (TS) in support of a proposed mixed-use development with associated parking on the Hopeman Service Station site adjacent to the B9040 Forsyth Street, Hopeman.

1.2. The proposals seek permission to demolish the existing service station and garage and construct a small food retail convenience store, a light industrial / commercial starter unit and 2 no. blocks of residential dwellings containing a total of 8 cottage flats with associated access, servicing and parking facilities.

1.3. This report examines the key transportation issues and access opportunities associated with all modes of travel from development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, where necessary.

1.4. The findings of this study are based on a review of the comments provided by Moray Council's Transport Planning Department (MC) within a consultation response to the planning application, consideration of representations by the public, a site visit, existing traffic observations and has been produced in accordance with the Scottish Executive (Government) document 'Transport Assessment Guidance' (2012), where appropriate. Consideration has also been given to the requirements of local and national government transport planning polices, including 'Designing Streets'.

1.5. The subsequent chapters of this report are structured as follows:-

- Development Proposals
- Local National Transport Policy
- Sustainable Accessibility
- Existing Future Traffic and
- Summary Conclusions.

2. Development Proposals

Existing Site & Surrounding Area

2.1. Hopeman is a seaside village in Moray, on the coast of the Moray Firth, founded in 1805 to house and re-employ people displaced during the Highland Clearances. According to the 2011 census, Hopeman has a population of 1,724 residents within circa 701 dwellings.

2.2. The site extends 0.67ha and currently hosts a service station and garage which has fallen into a state of disrepair in its current condition. The site is considered to currently be dilapidated and detrimental to the character of Hopeman.

2.3. This site, which is brownfield in nature, is bounded to the north by the B0940 Forsyth Street, to the east by Tulloch of Cummings, to the south by a telephone exchange and agricultural land and to the west by residential properties between the site and Inverugie Road. The location of the site, in a local context, is highlighted in red within *Figure 1* below:-

Figure 1: Site Location

Based upon the Ordnance Survey's (1:1250) Map of 2020 with permission of the controller of Her Majesty's Stationery Office, Crown copyright reserved. ECS Transport Planning Ltd Centrum Offices, 38 Queen Street, Glasgow, G1 3DX. License No: 100055056

2.4. The area has a number of local amenities including Hopeman Primary School, Hopeman Stores, and Post Office (Premier), Costcutters, a general store, hairdressers and beauty salon, a butcher shop, a chemist, a fish chip shop and recreational facilities.

2.5. The site is identified within the Local Development Plan as designated for Business Use, but it is clear that the site is not being utilised for business use and will, without substantial investment, deteriorate further over time. The site is well located in terms of access to arterial routes and public transport services to key areas of employment, such as, Elgin.

2.6. *Figures 2 & 3* below present the site in its current form. *Figure 2* displays a view of the site frontage looking south from Forsyth Street, with *Figure 3* illustrating the existing access arrangements.

Figure 2: View of Site from Forsyth Street

Figure 3: Existing Access Arrangements

Proposed Residential Development

Development Access Overview

2.7. The proposals involve the demolition of the existing service station and garage onsite, and construction of a retail unit, a small light industrial unit and 2no blocks of residential cottage style flats. The development content will comprise of the following:-

- 372msq Gross Floor Area (GFA) Food Retail (Convenience Store)
- 112msq GFA Light Industrial / Business Use (Starter Business)and
- 8 cottage flats split equally between two blocks.

2.8. The site frontage will be reconfigured, with the access arrangement condensed and footway on the southern side of the carriageway reinstated. The large existing egress at the western side of the site will be removed and a new standard priority junction introduced to replace the eastern access. A new delivery / loading layby will be created on the southern side of Forsyth Street to the west of the enhanced site access with the footway routing around the rear. In additional to the proposed delivery bay, 4 new car parking spaces will be introduced on the northern western boundary at the rear of the footway accessible via dropped kerb.

2.9. The site access junction will provide a route to the central area of the site with parking located either side. The internal road will be introduced in a T-Shaped arrangement to support larger vehicle turning manoeuvres. The minor section of the internal T-Shaped arrangement will operate as a parking courtyard and will host parking facilities either side.

2.10. The light industrial unit will be positioned to the east of the access junction directly south of the 4 proposed site frontage parking spaces and east of the site spine road. The convenience retail store will be located on the northern boundary of the site, to the south of the proposed delivery loading bay. To the south of the access roads and parking facilities, the cottage flats will sit on the southern boundary side by side.

2.11. Pedestrian access to the site will be provided from the northern boundary via Forsyth Street. A new dropped kerb crossing with tactile paving will be introduced between the enhanced site access junction and the proposed frontage car parking spaces. Access to the light industrial unit will be via an entrance on the northern elevation which will front the footway, as will access to the retail unit with entrance directly south of the delivery bay.

2.12. A zebra crossing will be introduced within the private internal spine road to support pedestrians crossing the minor arm of the junction. Access to the residential cottage flats will be introduced via a footway between the retail building and the parking bays on the western side of the site spine road. Another zebra crossing will be introduced over the parking court providing access to a surfaced area around the perimeter of both flatted buildings.

2.13. The proposed site layout is illustrated on Drawing L-003 Rev B contained within *Appendix A*.

Development Parking Provision

2.14. The proposed development will provide a total of 37 car parking spaces, which will consist of 4 frontage access spaces from Forsyth Street in support of the light industrial unit, 12 bays for the residential dwellings located either side of the internal parking court and 21 spaces for the convenience retail store positioned adjacent to the main spine road. The provision for the convenience store will include 2 disabled bays and one electric charging station.

2.15. As requested within MC's consultation response, parking provision for the residential element of the site has been introduced in accordance with Moray Council's Parking Standards as 1.5 spaces per flat which equates to a total of 12 spaces. Given the provision also accounts for visitor use, the spaces will not be allocated which ensures more efficient use of parking spaces.

2.16. Furthermore, the ratio of 3 spaces per 100msq GFA has also been applied to the light industrial use. However, given that some of the residential parking will be vacant during key retail demand periods, it is not considered necessary to apply the full food retail parking requirement to the site given the potential for shared use. The proposed retail element will provide a total of 21 spaces which is two short of the recommended 23 space provision. Co-Op, who are likely to be the tenant of the proposed unit, are comfortable that the proposed provision is sufficient to accommodate demand based on knowledge of operations at similar sized stores in areas with comparable characteristics. Given the remote location of the store, the proposed unit includes a larger storage area than would be standard, as such, applying the full parking ratio to this area is onerous.

2.17. Cycle parking will be provided in accordance with Moray Council's Parking Standards, with 3 Sheffield Cycle Stands introduced at the rear of the retail building which will support a total of 6 bicycles at any time.

The provision is in excess of the minimum requirements for both the retail and industrial elements of the site as set out in MC's guidance.

2.18. Cycle parking for the residential element of the site will be provided in a secure sheltered facility at the rear of the buildings adjacent to the bin stores.

Service Refuse Vehicle Access

2.19. Servicing, for the retail store, will be undertaken from a dedicated layby on the southern side of the Forsyth Street carriageway adjacent to the unit. A traffic regulation Order will be promoted to restrict parking within the area. The dimension of the bay is more than adequate to support a standard 10m rigid delivery vehicle at a width of 3m and length of 18m. Servicing, if required, for the light industrial unit is envisaged to be undertaken by a small panel van.

2.20. Refuse collection will be undertaken internally for all three land uses. The refuse vehicle will enter the site in a forward gear route south on the spine road and turn right into the parking court. Once the bins have been collected the vehicle will reverse into the T-Shaped turning head arrangement and exit the site in a forward gear.

2.21. Drawing 20044_002, contained within *Appendix B,* demonstrates a service vehicle entering and exiting the proposed loading layby on Forsyth Street. Drawing 20044_001, also contained within Appendix B, demonstrates a refuse vehicle can be safely accommodated within the proposals, allowing vehicles to enter and exit the site in a forward gear, with Drawing 10045_401 illustrating fire tender access to the site.

3. Local & National Transport Policy

3.1. The planning system is used to make decisions about the future development and use of land in our towns, cities and countryside. It considers where development should happen and how development affects its surroundings. The system balances different interests, including transport, to make sure that land is used and developed in a way that creates high quality, sustainable places.

3.2. To inform this process, National and Local Government have developed a series of policy documents / statements and guidance in terms of transportation. As most forms of transport are fundamental to modern life, whether moving people to school, work, shopping or recreation, the integration of transport and land use is a key element to support economic growth, as well as, social inclusion. In reducing Scotland's carbon footprint, the promotion of public transport is seen as key for new developments with walking and cycling taking an important role.

3.3. The following provides an overview of the current national / central and local government policies and guidelines, which the development proposals and site will be reviewed against within this report.

National / Central Government Transport Planning Policy

The Government's White Paper

3.4. The White Paper 'The Future of Transport: A Network for 2030, Executive Summary, Paragraph 6' states that:-

"We need a transport network that can meet the challenges of a growing economy and the increasing demand for travel, but can also achieve our environmental objectives. This means coherent transport networks with:-

- *the road network providing a more reliable and free-flowing service for both personal travel and freight, with people able to make informed choices about how and when they travel;*
- *the rail network providing a fast, reliable and efficient service, particularly for interurban journeys and commuting into large urban areas;*
- *bus services that are reliable, flexible, convenient and tailored to local needs;*
- *making walking and cycling a real alternative for local trips; and*
- *ports and airports providing improved international and domestic links."*

Scottish White Paper

3.5. The Scottish White Paper, 'Scotland's Transport Future, Section 2: Objectives' outlines new objectives for achieving an integrated and sustainable transport system in Scotland:-

"Our objectives are to:-

- *promote economic growth by building, enhancing, managing and maintaining transport services, infrastructure and networks to maximise their efficiency;*
- *promote social inclusion by connecting remote and disadvantaged communities and increasing the accessibility of the transport network;*

- *protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy;*
- *improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff;*
- *improve integration by making journey planning and ticketing easier and working to ensure smooth connection between different forms of transport".*

Scottish Planning Policy

3.6. National policy for transport is detailed in Scottish Planning Policy (SPP). The relevant aim of planning policy is to support and accommodate new investment and development in locations accessible by a range of means of transport which seek to minimise the impact on existing transport networks and the environment.

Planning Advice Note 75: Planning for Transport

3.7. Planning Advice Note (PAN) 75 accompanies SPP and provides a good practice guide for planning authorities and developers in relation to carrying out policy development, proposal assessment and project delivery. The aim of the document focuses on how planning and transport can be managed the role of different bodies / professions in the planning process and provides reference to other sources of information.

3.8. Respectively, paragraphs 7 and 24 of the document state the following in terms of transport:

"The intention is for new developments to be user focused and for the transport element to promote genuine choice, so that each mode contributes its full potential and people can move easily between different modes. Consideration should be given to freight logistics as well as person travel."

"Development plan policy should encourage development of significant travel generating proposals at locations which are key nodes on the public transport network that have a potential for higher density development and a potential for mixed use development with an emphasis on high quality design and innovation. These locations should encourage modal shift of people and freight by providing good linkages to rail, walking and cycling networks and with vehicular considerations, including parking, having a less significant role. Mixed use development, for example the inclusion of local shops and services within larger housing developments can encourage multi-purpose trips and reduce overall distances travelled by car by bringing together related land uses."

3.9. Furthermore, maximum travel distances for walking and cycling, as well as, establishing how far people would be prepared to walk to access public transport are contained within PAN 75. From paragraph B13, the document states the following:-

"Accessibility to public transport services:

- *For accessibility of housing to public transport the recommended guidelines are less than 400m to bus services and up to 800m to rail services."*

"Accessibility to local facilities by walking and cycling:

- *A maximum threshold of 1,600m for walking is broadly in line with observed travel behaviour."*

Designing Streets

3.10. This document is the first policy statement in Scotland for street design and sits alongside Designing Places, setting out government aspirations for design and the role of the planning system in delivering these. Together, they are the Scottish Government's two key policy statements on design and place making. Both documents are national planning policy and are supported by a range of design-based Planning Advice Notes (PANs). Designing Streets updates and replaces PAN 76 New Residential Streets (which is now withdrawn) and, in doing so, marks a distinct shift, raising the importance of street design issues.

3.11. The key policies from Designing Streets that should be considered are as follows:

- *"Street design must consider place before movement.*
- *Street design guidance, as set out in this document, can be a material consideration in determining planning applications and appeals.*
- *Street design should meet the six qualities of successful places, as set out in Designing Places.*
- *Street design should be based on balanced decision-making and must adopt a multidisciplinary collaborative approach.*
- *Street design should run planning permission and Road Construction Consent (RCC) processes in parallel."*

Scottish Executive Development Department: Transport Assessment Guidance (TAG)

3.12. The above document was published in 2012 and seeks to provide a best practice guide to help identify and deal with the likely impacts of development proposals in-terms of transport. As with SPP, this guidance focuses on the overall accessibility of the development. Detailed below are the key aims of a Transport Assessment.

- Reducing the need to travel, especially by private vehicle
- Reducing environmental impact of development
- Encouraging accessibility of development / location and
- Promotion of measures that influence sustainable travel behaviour.

3.13. TAG provides recommendations for pedestrians, cyclists and public transport accessibility in relation to new development, defining mechanisms for identifying the location and measures.

3.14. Paragraph 2.9 of the document states that:

"Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."

"In many cases, vehicle impacts will still be important and, in terms of the principals involved in the analytical process, will generally follow the well-established IHT procedures…"

Let's Get Scotland Walking - The National Walking Strategy

3.15. Let's Get Scotland Walking is a strategy to increase the number of Scots who are physically active and build on Scotland's outstanding opportunities for walking both in urban and rural areas. The foreword of the document states:

"There are many benefits from getting Scotland walking, including: more people will use active travel more often and will walk more for pleasure and for recreation; children will have safer routes to school and local facilities; older people will feel more connected with their communities; employers will have a healthier and more productive workforce; Scotland will reduce its use of carbon; and local economies will benefit from increased footfall."

3.16. The vision and aims of the document are as follows:

"A Scotland where everyone benefits from walking as part of their everyday journeys, enjoys walking in the outdoors and where places are well designed to encourage walking."

3 Strategic Aims are:

- *Create a culture of walking where everyone walks more often as part of their everyday travel and for recreation and well-being*
- *Better quality walking environments with attractive, well designed and managed built and natural spaces for everyone*
- *Enable easy, convenient and safe independent mobility for everyone*

Cycling Action Plan for Scotland

3.17. The actions in this document aim to increase cycling across Scotland, supporting both new and experienced cyclists. It outlines a framework for delivering the vision, setting out what the Scottish Government will do, what they expect others to do and what outcomes they expect that action will achieve.

3.18. The Scottish Government's purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. This first ever Cycling Action Plan for Scotland (CAPS) sets out how cycling, within the wider context of walking and active travel, contributes to this purpose, particularly through improving health, reducing congestion, reducing carbon emissions and providing a good transport alternative to persuade people out of cars.

3.19. Currently 1 of all journeys by Scottish residents are made by bicycle (Scottish Household Survey Travel Diary, 2008), and the Scottish Government would like to see this increased tenfold to 10 by 2020. Although this is an ambitious vision, the Scottish Government believe it is achievable. Around half the short journeys made (under 2 miles) are made by car many of these could be switched to bike. This Action Plan aims to provide a framework to help create an environment which is attractive, accessible and safe for cycling.

Local Transport Planning Policy

Local Transport Strategy

3.20. Transport is an important part of the economy in Moray, particularly given its rural and peripheral nature. Developing a transport system that supports economic development, sustainable development, equality, social inclusion and health improvement principles will be a major challenge. A further challenge is safeguarding the quality of life for the citizens of Moray by finding new ways to maintain and increase sustainable economic development, without causing undue traffic growth, congestion and environmental damage.

3.21. The general need for reduction in levels of road traffic in parts of Scotland is not being challenged in the LTS, and there is general agreement that wherever possible efforts should be made to encourage the use of modes of transport other than the private car. The Council is currently pursuing various initiatives which would at least make a small contribution to this objective. These include Safer Routes to School, Rural Transport Initiatives and the preparation of Access and Cycling Strategies. Nevertheless, it must be acknowledged that the character of Moray, which is dictated by its rural location and the particular constraints which apply to public transport, means that some measures which might be successful in other parts of Scotland would be wholly inappropriate in this area. Therefore, it is not considered that setting targets to reduce traffic volumes on non-trunk roads is appropriate in Moray.

3.22. The purpose of the LTS is to set out a framework for taking forward transport policy and infrastructure within Moray nut can be summarised as follows:

VISION

3.23. Excellent connections and accessibility are achieved for Moray through a safe, integrated, reliable and affordable transport system that is inclusive and supports economic development and the needs of local communities whilst safeguarding the environment.

OBJECTIVES

Introduction

3.24. The following objectives have been developed, as a result of the consultation process. These have been split into two categories, comprising of Key Objectives and Sub-Objectives.

Key Objectives

3.25. The Key Objectives provide a framework for progress at a local level and provide a basis for the LTS.

- K1: Support and enable economic development through a sustainable transport infrastructure
- K2: Promote safer, inclusive and affordable travel for all
- K3: Maintain and improve the existing transport infrastructure to enable an effective and reliable transport network
- K4: Improve accessibility to jobs, services and facilities
- K5: Increase sustainable travel choices to promote travel behaviour change and reduce the need for car use and the environmental impact associated with transport and health
- K6: Promote integration across different modes, policies and land-use planning.

Sub-Objectives

- S1: Support the improvement of connections (road, rail, sea and air) to the rest of Scotland, the UK and Europe
- S2: Develop solutions to traffic safety and capacity problems within Moray and work with the Scottish Government, developers and others to minimise predicted problems
- S3: Support good quality and affordable public transport systems and where appropriate provide and maintain a network of socially desirable bus services to supplement the commercial network
- S4: Review the role of Moray harbours
- S5: Ensure adequate car parking provision to meet the need of communities
- S6: Support improvements to passenger and freight rail services
- S7: Work with others to reduce additional transport costs related to Moray's location in Scotland, the UK and Europe
- S8: Encourage less car dependent forms of transport and where appropriate encourage road traffic reduction, walking, cycling and other active travel initiatives
- S9: Work with others to improve transport infrastructure related to recreation and tourism
- S10: Support access to the countryside and well being initiatives.

Delivery and monitoring

3.26. Like many other authorities, the success of the Local Transport Strategy will be constrained by competing demands on budgets. Annual budget and implementation reports will continue to be brought forward for Committee approval. Details of the approved budgets and plans will be made available on the Councils website.

3.27. Data collection and monitoring will continue. This will include aspects such as existing key performance indicators including road condition monitoring, lighting repairs and road accidents.

Summary

3.28. Both Local and National Government policy highlight the need to consider sustainable transportation modes when considering the likely impacts of development sites.

3.29. The promotion and connection to public transport is seen as key to providing an access strategy for new development, with walking and cycling taking an important role. The policies all highlight transport sustainability in terms of social inclusion, environmental impact, successful integration and safety.

3.30. In addition, the Scottish Government document "Transport Assessment Guidance" supports the need for consideration of a sustainable approach to transportation planning.

4. Sustainable Accessibility

4.1. The following provides an overview of the likely travel demand for sustainable modes of travel created by the proposed development. The predicted uplift in walking, cycling and public transport trips is assessed in line with the existing provision and facilities in the surrounding area, with improvements to enhance accessibility by each mode considered, where necessary.

4.2. There are various measures of accessibility and methods of calculation. Determining the accessibility of a site generally requires calculating the travel time by different modes i.e. walking, cycling, public transport and private car. From 'Transport Assessment Guidance' Journey times of up to 20-30 mins are appropriate for walking and 30-40 mins for cycling.

4.3. In line with PAN 75, when assessing a development site, it is good practice to consider travel distances for walking and cycling, as well as, establishing how far people would be prepared to walk to access public transport. The suggested walking distances to public transport interchanges and local facilities are as follows:-

- 400m to bus services
- 800m to rail services and,
- 1,600m to local facilities / amenities.

4.4. It should be noted that the distances detailed above are recommended acceptable walking distances from a development site to surrounding facilities, however, theses distances are often exceeded in rural locations.

Multi-Modal / People Trip Assessment

4.5. It is stated within 'Transport Assessment Guidance' that *"Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."*

4.6. In accordance with 'Transport Assessment Guidance', a person trip assessment has been undertaken to determine the likely multi-modal characteristics of the residential element of the proposed site. To appreciate the future travel characteristics of the development site, reference has been made to Scottish Census 2011 website (http://www.scotlandscensus.gov.uk), which defines 'Method of Travel to Work or Study' for the local area that applies to the location of the proposed development site. A summary of the corresponding mode share statistics are shown in *Table 1* overleaf, with the full 2011 National Census outputs detailed within *Appendix C*.

4.7. To assess the level of person trips, the corresponding weekday AM and PM proposed development peak hour (two-way) traffic generation, as indicated in *Table 5*, was applied to the percentage modal split for 'car drivers' (i.e. 49.62%). The remaining mode related trips were proportioned in line with the traffic generation, as indicated in *Table 2* overleaf.

Table 1: 2011 National Census 'Method of Travel to Work or Study Statistics

Mode	Census Output	Modal Split
Underground	2	0.19□
Train	43	4.13□
Bus	150	14.42□
Taxi	9	0.87□
Car or Van	516	**49.62%**
Passenger	82	7.88□
Motorcycle, Scooter or Moped	5	0.48□
Bicycle	18	1.73□
On Foot	172	16.54□
Other	43	4.13□
Total People	**1040**	100□

Table 2: Proposed Residential Development Modal Split and Mode Share (Two-Way)

Mode of Travel	Modal Split	AM Peak	PM Peak
Underground	0.19□	0	0
Train	4.13□	0	0
Bus / Coach	14.42□	2	1
Taxi / Minicab	0.87□	0	0
Driver Car / Van	**49.62%**	**6**	**4**
Passenger Car / Van	7.88□	1	1
Motorcycle / scooter	0.48□	0	0
Bicycle	1.73□	0	0
Walking	16.54□	2	1
Other	4.13□	0	0
Total	100□	**11**	**7**

Minor discrepancies are associated with rounding

4.8. The census information indicates that approximately 9□ of adults work from home in and around the Hopeman area which has not been accounted for in the above calculations ensuring the assessment of each mode is robust. Clearly, those working from home would not impact on the commuter peak periods which would limit the impact on the existing transport infrastructure.

4.9. To determine the likely future travel choice associated with the retail unit, reference has been made to the industry standard Trip Rate Information and Computer System (TRICS) database. This database collates survey data for various development types and, based on the available information, 'Suburban' and 'Edge

of Town' has been used to assess the travel demand associated with the retail element of the site. The multi-modal travel information extracted from this database is contained within *Appendix C* with the resulting multi-modal / people trip generation (two-way) detailed in *Table 3* below.

Table 3: Proposed Retail Development Person Trip Generation (Two-Way)

Mode	AM Peak (08:00-09:00)		PM Peak (17:00-18:00)	
	Total Trip Rate	Total Trips	Total Trip Rate	Total Trips
Walk	18.354	68	21.347	79
Cycle	0.630	2	1.260	5
Public Transport	0.748	3	2.599	10

4.10. The light industrial proposals on site are of a size that is not comparable with any survey sites within the TRICS database, as a result, any movements to / from this facility during peak periods are considered to be insignificant and negligible on the network.

4.11. Furthermore, there has been no consideration take of the extant consent secured on the site and the associated generation that would be removed from the network with the change of land use.

4.12. The following paragraphs provide an overview of the existing walking, cycling and public transport opportunities, in line with the hierarchy of travel modes set out in SPP, demonstrating that the proposed development site is ideally located to be accessible by a range of travel modes, regardless of any additional facilities introduced as a part of the proposals.

Sustainable Travel Opportunities

Walking

Existing

4.13. At present, pedestrian facilities along the site frontage on the southern side of the Forsyth Street carriageway are intermittent and in a poor state of repair. However, there is a continuous footway present on the northern side of the carriageway which is in good condition, of a standard width and benefits from street lighting.

4.14. The footway on the northern side of the carriageway provides a connection to facilities on both sides of Harbour Street with dropped kerbs available to support crossing at regular intervals. Harbour Street is the main street through the centre of the village and provides a link to local amenities and the surrounding residential streets.

4.15. As would be expected within an established built-up village, the footways are interconnecting and penetrate the surrounding residential streets in a grid type arrangement.

4.16. *Figures 4 & 5* overleaf present the footway infrastructure adjacent to the site. *Figure 4* displays a view of the footways on Forsyth Street looking east, with *Figure 5* illustrating the facilities looking west.

Figure 4: View of facilities on Forsyth Street looking east

Figure 5: Facilities on Forsyth Street looking west

Proposed

4.17. From *Tables 2 & 3*, the proposed mixed use development could generate up to 70 and 80 (two-way) trips on foot during the AM and PM peak periods, respectively. However, it is expected that the level of walking trips could be increased given the walk-in catchment and the general accessibility to the village as a whole.

4.18. It is expected that the main pedestrian desire lines will be to the north of the development site, given the location of the village and majority of residential properties.

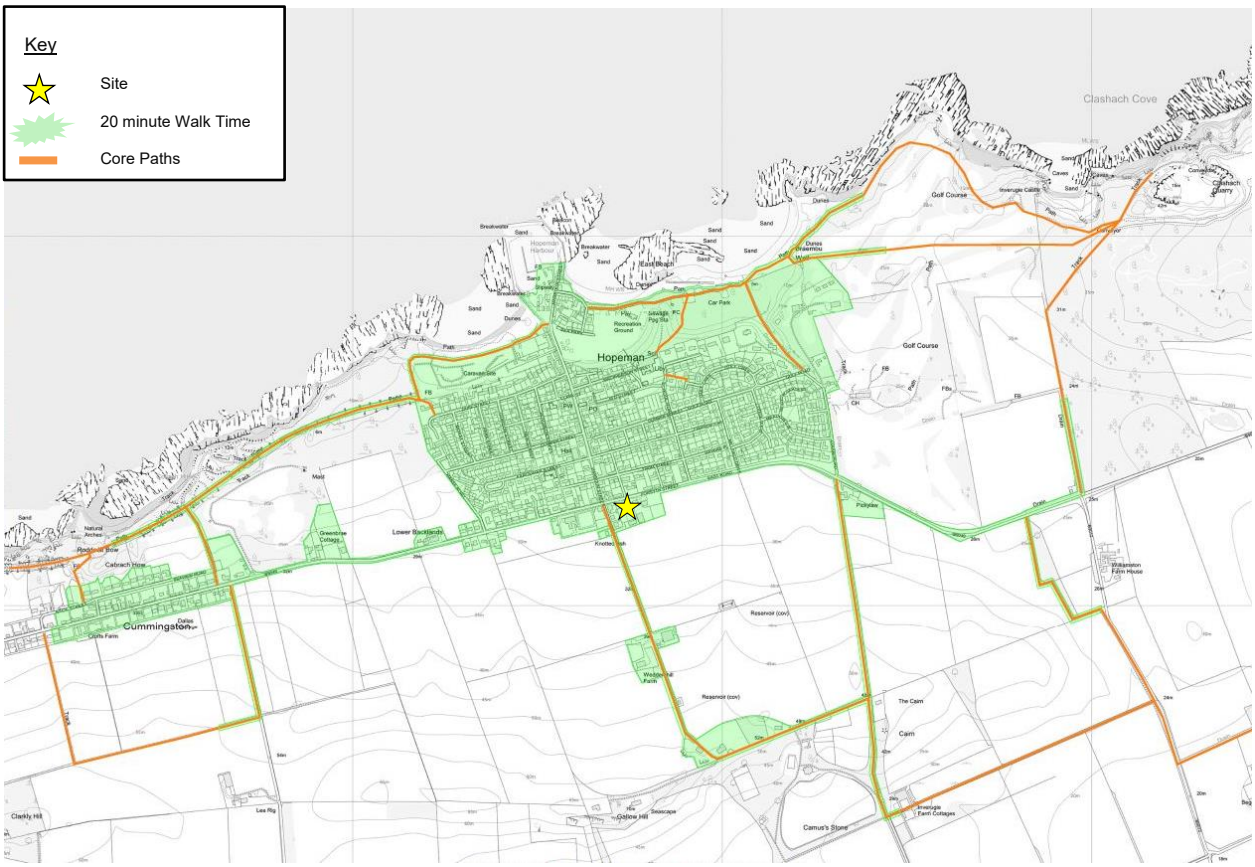
4.19. As part of the development proposals, the footway will be reinstated and upgraded along the site frontage with access provided direct to the retail and industrial unit entrances. Existing lighting columns will be relocated to assist with the introduction of the site access junction and the delivery layby. A zebra crossing will be introduced over the private internal access road to provide pedestrians with a safe crossing point over the minor access.

4.20. In addition to the crossing over the internal access, a new external crossing with be introduced over the B9040 Forsyth Street to the east of the proposed access junction. The crossing point will consist of dropped kerbs with tactile paving supporting access to the public transport facilities on the opposite side of the carriageway and also linking the site with the village.

4.21. Internally, residents of the cottage flats will be directed south via a footpath between the retail unit and the main spine road. A zebra crossing will be introduced to provide residents with support over the parking court aisle and a connection with the entrance to the dwellings.

4.22. From 'Transport Assessment Guidance' journey times of 20 – 30 minutes (circa. 1,600m – 2,500m based on an average walking speed of 1.4m/s) are considered to be appropriate for walking. These figures are broadly in line with the guidance set out in PAN75 which indicates a maximum walking catchment of 1,600m for local facilities and amenities. *Figure 6* presents a 20 minute (1,600m) walking isochrone in relation to the proposed development indicating that residential settlements and bus stops are available in the local area.

Figure 6: Walking Isochrones



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4.23. The site is an excellent example of the 'walkable neighbourhoods' aspiration outlined in Designing Streets where residents can work, live and shop within the local area without the need to utilise a private car.

4.24. It is expected that the inclusion of external footway connections with Forsyth Street and introduction of a new crossing facility over the site access junction and Forysth Street as part of the development will promote journeys on foot from the site and accommodate the expected uplift in pedestrian activity. It is therefore considered that the pedestrian generation calculated within the multimodal assessment will be exceeded, thereby reducing reliance on private car use for local trips.

Safe Routes to Schools

4.25. In line with Transport Planning Policy, Transport Statements / Assessments produced in support of residential developments should consider the safest route for young children travelling on foot or by bicycle to the nearest places of education. It is likely that children residing at the development site will be educated at Hopeman Primary School to the northeast of the site.

4.26. Hopeman Primary School is located on the east side of the village and has approximately 250 registered pupils. The catchment area includes Hopeman and nearby villages of Duffus and Cummingston.

4.27. As highlighted, the development will introduce a new crossing facility on Forsyth Street supporting access to the existing footway on the northern side of the carriageway. Approximately 170m east of the site, the footway on the northern carriageway of Forsyth Street connects with the footway on the western side of School Road. Pedestrians will require to cross minor junctions to reach School Road, but dropped kerb crossing facilities are present at both locations. The footway on School Road routes north terminating at a crossing point on Mid Street which connects the site to the Hopeman School gate. The route is less and 450m in length and well within the recommended walking distance of 1,600m to local facilities as outlined within PAN75.

Cycle Infrastructure

Existing

4.28. The residential nature of the surrounding road network is conducive to cycling with low vehicle speeds, generally 30mph speed restrictions, and low volumes of traffic.

4.29. Circa 4km south of the development site, National Cycle Route 1, Dover to the Shetland Islands, NCR1, intersects the B9013 south of Bank of Roseisle. The route provides access to the centre of Elgin in the east and Forres, Nairn and Inverness in the west. This cycle network runs along a combination of off-road and on-road routes, including the A96 Trunk Road.

4.30. The local Moray core path network also operates as shared cycle paths / footpaths. As previously described, there are several on and off-road core path / cycle routes within the village. Forsyth Street, along the development frontage, is detailed as a promoted path for cyclists. The paths connect the village with Burghead in the west and Lossiemouth in the east.

4.31. *Figure 6*, walking isochrones, indicates areas that can be reached within a 1,600m catchment of the development site, which equates to less than an 8 minute cycle time, indicating that cycling would be an attractive mode of travel for staff / customers accessing the site from the local residential areas. In addition, Lossiemouth and Elgin are within a circa 10km catchment of the development site, which equates to a cycle time of between 30 – 40 minutes which will be attractive to many of the residents accessing local employment centres.

Proposed

4.32. Results from the multi-modal assessment indicate that the development is likely to increase the number of cycling trips on the local road network by 2 movements during the AM peak period and 5 movements during the PM commuter peak. However, with the introduction of connections to cycling facilities and the promotion of a Travel Pack it is considered that cycling will be more attractive to residents than the multi-modal assessment suggests. The key cycle destinations from the residential site will be to education, amenities or public transport facilities for multi-modal travel.

4.33. Cycle parking for the retail unit will be provided in the form of three Sheffield Cycle Stands at the rear of the building which exceeds the minimum requirements detailed within Moray Council's Parking Standards. It is envisaged that these facilities will also support any demand from the small light industrial unit.

4.34. Secure and covered cycle parking for the residential element of the site will be provided at the rear of the buildings adjacent to the bin stores.

4.35. Based on the existing cycle opportunities, connections to cycle routes in the area and nature of the local road network, it is considered that the anticipated demand for cycling can be adequately accommodated.

Public Transport

Existing

4.36. The site is ideally located to access public transport facilities within the local area with bus services within easy reach of the site. Bus stops are located on Forsyth Street directly adjacent to the site frontage and benefit from shelters and timetable information.

4.37. At present, Stagecoach Service 32 services operates in the immediate locale of the development site. Details of bus provision available at the stop surrounding the site is summarised within *Table 4* below.

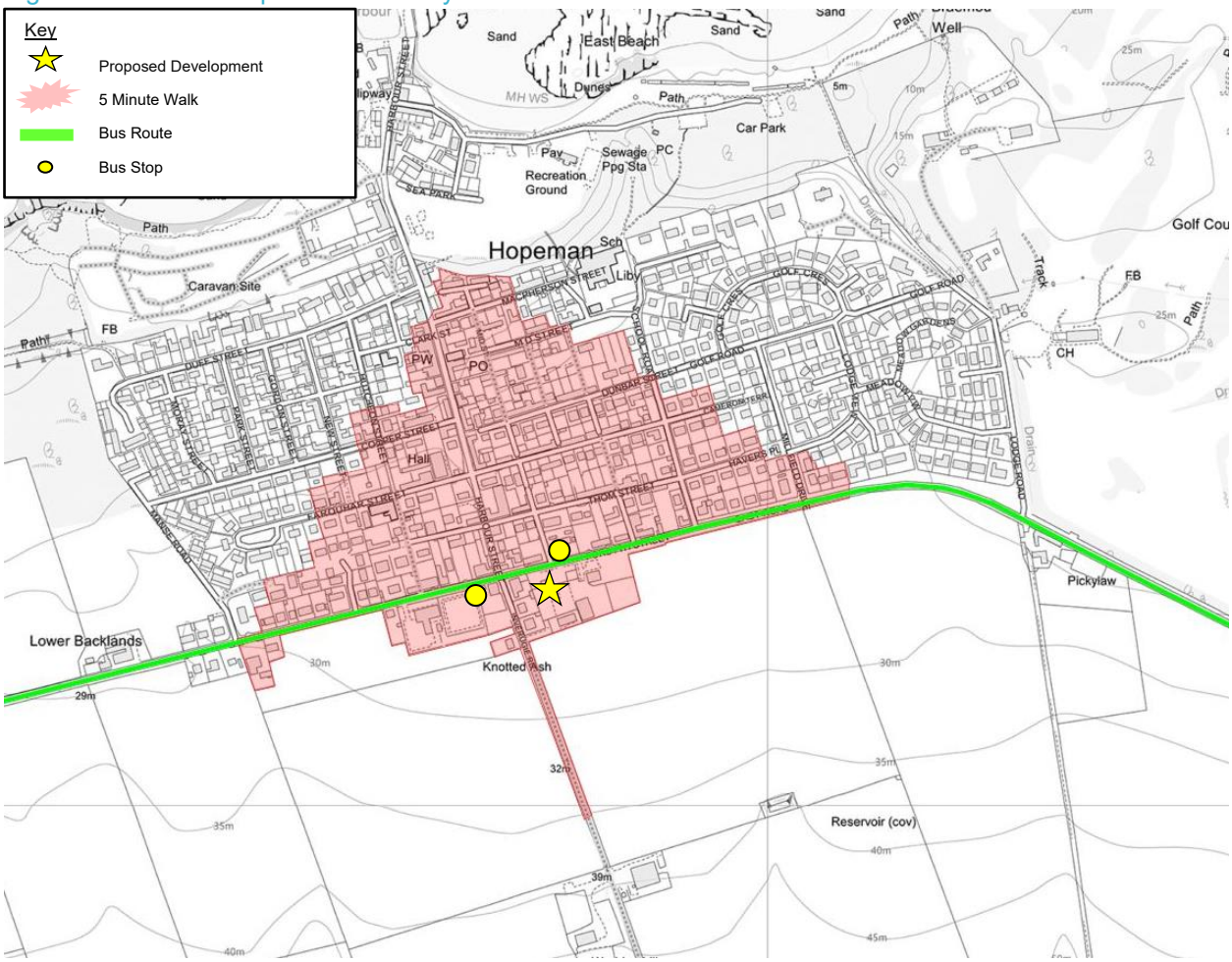
Table 4: Existing Bus Services

Operator	Service	Route	Frequency (mins)					
			Monday-Friday		Saturday		Sunday	
			Day	Night	Day	Night	Day	Night
Stagecoach	32	Elgin – Burghead	60	60	60	60	-	-

4.38. *Table 4* indicates that there is a regular service between Burghead and Elgin routing through Hopeman along Forsyth Street and past the front of the development site. As such, the services adjacent to the site provide an excellent service throughout the day and at evening during both the weekday and on a Saturday.

4.39. *Figure 7* indicates the location of public transport infrastructure in the vicinity of the site and the local bus routes.

Figure 7: Public Transport Accessibility



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Proposed

4.40. It is expected that there will be a regular demand for travelling by public transport to / from the development site during various times throughout the day, however, the largest demand will be associated with employment based trips. As a result, this public transport review focuses on the peak commuting periods, with up to 5 and 11 (two-way) trips estimated to be generated during the AM and PM peaks, respectively.

4.41. Given the location of the bus stops, and the residential settlements / employment centres accessible via these services, it is considered that the additional patronage generated by the development proposals can be easily accommodated by the existing provision.

4.42. It is considered that the available public transport within the area ensures that the development is located in an accessible area and will provide residents and staff with an alternative option to the private car, with timetables accommodating commuter travel.

Travel Plan Framework (Employment)

4.43. It is expected that a full travel plan will form a condition of any consent to ensure that relevant information reflective of Care Concerns specific operation and working conditions can inform the plan. The following provides a framework for a travel plan which will provide the basis for a full travel plan which will be completed in conjunction with MC.

4.44. In line with Transport Assessment Guidance, Travel Plans should first be introduced within the TS. However, a Travel Plan cannot be fully developed until the development is operational, therefore, the Travel Plan Framework below will be used to establish the requirements of the future Travel Plan for the employment element of the development.

4.45. The framework detailed below is not intended to represent a Travel Plan, but is intended to allow consideration of what may be required and is aimed primarily at staff travelling to the development site.

4.46. The Department of Transport (DoT) 'A guide on travel plans for developers' states:

'A travel plan is a strategy for managing all travel and transport within an organisation. It seeks to improve access to a site or development by sustainable models of transport. A travel plan contains both physical and behavioural measures to increase travel choices and reduce reliance on single-occupancy car travel'

4.47. The aim of travel plans, as outlined by Central Government Guidelines, is to address potential means of reducing reliance on staff single-occupancy car use and encouraging the use of alternative forms of travel.

4.48. A Travel Plan involves the development of a set of mechanisms, initiatives and targets that together enable organisations to reduce the impact of travel.

Objectives

4.49. There are a number of objectives, both at national and local level, that the implementation of the Travel Plan is intended to help fulfil:

- Influence travel behaviour;
- Generate fewer single-occupancy car trips than would otherwise be the case by encouraging a modal shift in travel to the site;
- Reduce the need for unnecessary journeys;
- Reduction in overall mileage;
- Help improve the health of staff; and,
- Accommodating those journeys that need to be made by car.

Targets

4.50. The objectives given above provide the framework for the Travel Plan measures. Where applicable, targets can be included to help achieve the objectives and there are two main types that are applicable. The most easily demonstrated is a commitment to deliver the package of measures set out in the plan. These measures include initiatives to promote increases in the use of walking, cycling, car-sharing and public transport use.

4.51. The second form of target is aspirational and related to proportional changes in the travel modes used to access the site. Aspirational targets are not generally set in advance of the development opening as the modal split of staff for the retail development is not known. Results of a staff travel survey (normally

undertaken within 6 months of the development opening) would provide information on the prevailing travel choices of employees and a basis for the setting of aspirational targets in a later revision of the Travel Plan.

4.52. The Travel Plan will be implemented by the end users, who will work in conjunction with MC and other interested parties in its continuing progression and be responsible for managing and implementing.

Initiatives

4.53. In order to ensure that the opportunities for modal shift can be realised there are a number of measures that will be considered and encouraged by the occupier(s) of the development:

- Provision of travel information - e.g. bus timetable information on staff notice boards
- Measures to promote walking / cycling - washing and changing facilities, bicycle users group, information on walk / cycle routes and,
- Car sharing - Promote a staff car sharing scheme as a means of reducing single occupancy car trips.

4.54. Travel Plans are primarily focussed on staff and therefore the majority of measures proposed within a plan are intended to encourage staff to use more sustainable modes of transport when travelling to the development.

Monitoring & Review

4.55. An objective of the Travel Plan is that there will be an on-going improvement process including periodic monitoring, where necessary.

Residential Travel Pack

4.56. Changes in travel behaviour can be further influenced through a Travel Plan, which involves the development of a set of mechanisms, initiatives and targets that will ultimately help to reduce the impact of travel.

4.57. The aim of travel plans, as outlined by Central Government guidelines, is to address potential means of reducing reliance on single-occupancy car use and encouraging the use of alternative forms of transport thus helping to reduce the impact of travel.

4.58. The value of school and workplace travel plans is now widely accepted and the majority of local authorities recognise the influence they can have on ensuring efficient travel planning in such environments. As it is now widely recognised that residents also benefit from an environment, which offers a wide range of public transport facilities and where intrusion by traffic is minimised, this concept is now being extended to residential developments, where it has become a vital tool in delivering sustainable communities.

4.59. Although a Travel Plan cannot be fully developed until the proposals are fully operational, a framework document can be used to establish the requirements of the Plan. The focus of this Residential Travel Plan is to help deliver a sustainable community and provide informed transport choices for residents.

4.60. There are a number of objectives, both at national and local level, that the implementation of the travel plan is intended to help fulfil:

- Influence travel behaviour of residents
- Reduce the need for unnecessary journeys
- Reduction in overall mileage

- Help improve the health and wellbeing of residents
- Accommodating those journeys that need to be made by car.

4.61. In order to ensure that the opportunities for modal shift can be realised there are a number of measures that will be considered and encouraged by the developer, such as:

- Information on the on and off road pedestrian network routes for residents, and include any maps
- Information on the local cycle network routes to residents, which will include any maps and
- Provide up-to-date public transport information including timetables and bus company contact information.

4.62. One such method of providing residents with the above information is through issue of a Welcome Pack, however, the preparation of such a package is ultimately the responsibility of the builder. It is hoped that making residents more aware of local public transport facilities by such measures will encourage a modal shift from the private car to more sustainable forms of transport.

4.63. The provision of a residential travel planning leaflet would require to be in line with Moray Council's expectations and this should provide details of sustainable accessibility, in terms of walking, cycling and public transport.

4.64. The leaflet should cover a range of users and function and include the following information:

- School children travelling to / from school (primary and secondary)
- Disabled and elderly access
- Leisure routes in the vicinity of the site
- Access to the town centre and
- Access to local amenities, including convenience stores and shops.

Sustainable Travel Summary

4.65. In accordance with local and national transport policy, an assessment of the development proposals has been undertaken for all sustainable modes of travel. This indicates that the current walking and cycling provision in the area is sufficient to accommodate the expected future demand from the site.

4.66. As part of the internal site design, connections to the existing footway networks are provided which link with existing public transport facilities enhancing connectivity with the surrounding area. A new crossing will be introduced on Forsyth Street to link the site with the wider residential area and public transport facilities on the opposite site of the carriageway. Finally, a travel plan will be developed for the employment elements of the site to encourage staff to travel by sustainable mode and a residential travel pack will be distributed to residents upon occupation of each property to highlight sustainable travel options and encourage a shift in mode choice.

4.67. The site is accessible to a range of sustainable modes of transport, integrates well with the surrounding residential area and is compliant with the principles of Designing Streets thereby ensuring that the site is compliant with the national and local policies highlighted within *Chapter 3*.

5. Vehicular Accessibility

5.1. The following presents a review of the surrounding road network and details how the likely level of private car use will be generated.

Surrounding Road Network

5.2. This section of the report describes the most likely routes vehicles will travel to the development site from residential settlements and from the site to places of education, work and recreation. The following provides an overview of the key route corridors.

Existing

5.3. *Figure 1*, Site Location, identifies the site, surrounding road network and its environs. The site is ideally located to access strategic transport links, such as, the B9040, B9012, B9013 and the A96(T).

5.4. The site is bound to the north by the B9040 Forsyth Street. Forsyth Street is a single carriageway road circa 6.5m in width operating in an east-west direction along the southern extent of the village. Subject to a 30mph speed restriction within the built-up area of Hopeman, the route hosts residential road characteristics, such as, frontage access, on-street parking and is a bus route, despite being of local distributor standard. Beyond the limits of the village the speed limit increases to national speed restriction and connects the village with Burghead in the west with Lossiemouth in the east.

5.5. The village of Hopeman has been developed around a traditional grid style road network with serval of the interconnecting road forming priority junctions with the B9040 on the northern side of the carriageway. The main street in Hopeman, Harbour Street, forms a cross-road priority junction with the B9040 Forsyth Street and Inverugie Road circa 30m west of the site.

5.6. Harbour Street, also a single carriageway road, penetrates the centre of the village and hosts many of the villages' local amenities and recreational facilities whilst also providing a link to the Harbour in the north.

5.7. The B9040 forms a priority junction with the B9013 St Aethans Road to the south of Burghead circa 2.5km west of the site. The B9013 is a single carriageway distributor road linking Burghead in the north with the A96 Trunk Road in the south. The A96 is the main arterial route in the area and provides the village with a link to Inverness in the west and Aberdeen in the east, via Elgin.

5.8. Alternative routes are available to the centre of Elgin, namely the B9012, which is also a single carriageway road subject to a 60mph speed restriction. The B9012 forms a priority junction with the B9040 less than 1,250m east of the site and routes through the village of Duffus before connecting with Morriston Road.

5.9. The road network surrounding the site provides directly links to the centre of the village and easy access to key distributor road providing links to the trunk road network and the main surrounding employment centres.

Proposed

5.10. As described within *Chapter 2*, the current access arrangement to the site with Forsyth Street on the northern boundary will be reconfigured and a single priority junction introduced to replace the former access / egress layout. The proposed / replacement junction will be introduced as a standard priority junction towards the eastern area of the site with standard Designing Street visibility splays provided.

5.11. The priority junction will support a single carriageway spine road which will connect to a parking courtyard in the south west of the site via a priority junction. The main internal spine road will terminate in a T-Shaped turning head.

5.12. Reconfiguration of the site access will permit the introduction of 4 dropped kerb parking spaces at the rear of the footway on the eastern side of the proposed priority junction and a new delivery layby on the western side of the junction. The delivery / loading bay will be subject to a Traffic Regulation Order to restrict public parking and control delivery times.

5.13. Parking for the site will be provided internal either side of the access spine road and both sides of the parking aisle within the courtyard.

5.14. The proposed access arrangement including visibility splays is presented on Drawing 20044_003 contained within *Appendix A*.

5.15. There have been various local representations submitted to Moray Council commenting on the means of access to the site and the nature of the adjacent road network. The standard of Forsyth Street and the volume of through traffic on the route are mentioned within many of the representations.

5.16. A food store should be located on a primary route, such as, Forsyth Street, to ensure pass-by traffic can easily access the site without the need to significantly divert through residential streets. Furthermore, the background traffic on Forsyth Street is not, in road design terms, significant.

5.17. As previously mentioned, the site has an extant land use which benefits direct from Forsyth Street which ensures that the means of access is committed in planning terms. It is understood that a residential development is currently under construction to the west of the site which benefits from direct access from Forsyth Street, thereby further demonstrating direct access from Forsyth Street is appropriate

Development Traffic

5.18. The industry standard TRICS database has been utilised to determine an appropriate vehicle trip rate for the retail and residential elements of the proposals as presented in *Tables 5 & 6* below and overleaf. A copy of the TRICS output is contained within *Appendix C*. As detailed within *Chapter 4*, there are no similar light industrial / business type developments of a comparable size on the database, therefore, it is considered that any generation, particularly during the commuter peak periods associated with this element of the proposals with be negligible.

5.19. It is estimated that the site will generate in the region of 69 and 77 (two-way) vehicle movements during the weekday AM and PM peak hours, respectively, which are expected to coincide with the peak background traffic periods.

Table 5: Residential Development Traffic Generation

8 Residential Units	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Trip Rate	0.210	0.481	0.691	0.259	0.185	0.444
Traffic Generation	2	4	6	2	2	4

Table 6: Residential Development Traffic Generation

372msq Food Retail	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Trip Rate	8.665	8.350	17.015	10.240	9.413	19.653
Traffic Generation	32	31	63	38	35	73

5.20. As highlighted within the tables *above*, two-way traffic generation associated with the development site is estimated to be marginally over 1 two-way vehicle movement every minute, on average, during the peak periods.

5.21. In addition, the site previously operated as a service station / garage which generated vehicle traffic at peak times. As the service station / garage will be removed to accommodate the mixed-use development the traffic associated with this use is considered 'committed' on the road network which would considerably reduce the nett increase of traffic on the road network as a result of the development proposals.

5.22. On the basis, MC confirmed within the consultation response, by the request for a Transport Statement, that a full assessment and detailed capacity analysis was not necessary.

Accident Review

5.23. When considering an appropriate access arrangement, consideration is given to the adjacent route network. As part of the consideration process, a review of Crashmap.com was undertaken to determine whether there were any safety issues surrounding the site. The review highlighted that there has only been one collision reported in the past 5 years on the B9040. The accident took place circa 400m east of the site and involved 3 vehicles. There were two slight injuries associated with the collision, which is considered to be caused by driver error.

5.24. The above review confirms that there are no safety issues with the current network arrangement in the vicinity of the site. Furthermore, the development proposals will rationalise the access points on the site, effectively improving road safety.

Construction Traffic Management Plan

5.25. Generally, the chosen haulage route is the shortest available to the strategic road network and focuses on trunk / distributor standard roads which are suitable to accommodate construction traffic vehicles. At this stage the specific construction route is unknown, but all routes to / from the A96 will be considered in due course.

5.26. Immediately upon commencement of the construction, all deliveries, operatives and visitors to the construction site will report to the site office. This will be communicated to all works contractors at their pre-start meeting. They will be informed by site staff of emergency procedures, assembly points, First Aid, site rules, etc.

5.27. Manned traffic management procedures will be adopted when very large loads are delivered to site. This is only for exceptional items and these movements will only occur occasionally and will be minimised, where possible.

5.28. Construction vehicles will be managed by the Project Manager overseeing direction of the project and by the Site Supervisor responsible for on-site activities. Contact details for both the Project Manager and Site Supervisor shall be provided to MC prior to works commencing and made visible on the site security hoarding.

5.29. Security hoarding around access points will be periodically inspected for damage by the site manager and remedial maintenance will be carried out if necessary.

5.30. Large vehicle deliveries will be coordinated directly between the project team and the supplier. Deliveries to the site by vehicles in excess of 3.5 tonnes will only be carried out between the hours of 09:00 and 17:00 Monday to Friday, and 08:00 to 13:00 on Saturday, however will be coordinated to avoid conflict with school opening and closing time periods.

5.31. All subcontractors will stipulate to the site manager their vehicle size, times for deliveries, access route and site access arrangement prior to delivery.

5.32. Deliveries will be restricted to site working hours as set out above or otherwise agreed with MC to reduce disruption to local residents and businesses.

5.33. Banksman will be provided for all HGV movements into and out of the site to minimise the potential impact on the public highway.

5.34. Wheel washing facilities are to be provided. These will be located on the egress of the site on an area of hard standing concrete. Jet washing wheels will be carried out by a traffic marshal or contracted labour.

5.35. The developer will ensure that the roads and footways surrounding the site are swept on a daily basis. This process is to ensure that any debris or dirt from the construction vehicles avoids getting transferred around the road network.

5.36. The owner will take reasonable steps to minimise noise and supress dust, dirt and debris generated by the scheme, working to the relevant British Standards and best working practices.

5.37. The main contractor and sub-contractors will subscribe to the “Considerate Contractors Scheme” and adhere to the guidelines set out by the scheme.

Vehicular Accessibility Summary

5.38. In summary, the nature of the surrounding road network is considered sufficient to accommodate the likely traffic demands associated with the development proposals, as a result, it is considered that the development site and proposals are in line with current transport planning policy.

6. Summary & Conclusions

Summary

6.1. ECS Transport Planning Limited has been commissioned by Springfield Real Estate Management Ltd to produce a Transport Statement in support of a proposed mixed-use development with associated parking on the Hopeman Service Station site adjacent to the B9040 Forsyth Street, Hopeman.

6.2. The proposals seek permission to demolish the existing service station and garage, and construct a small food retail convenience store, a light industrial / commercial starter unit and 2 no. blocks of residential dwellings containing a total of 8 cottage flats with associated access, servicing and parking facilities.

6.3. This report examines the key transportation issues and access opportunities associated with all modes of travel from development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, where necessary.

6.4. The findings of this study are based on a review the comments provided by Moray Council's Transport Planning Department (MC) within a consultation response to the planning application, a site visit, existing traffic observations and has been produced in accordance with the Scottish Executive (Government) document 'Transport Assessment Guidance' (2012), where appropriate. Consideration has also been given to the requirements of local and national government transport planning polices, including 'Designing Streets'.

6.5. The development content will comprise of the following:-

- 372msq Gross Floor Area (GFA) Food Retail (Convenience Store)
- 112msq GFA Light Industrial / Business Use (Starter Business) and
- 8 cottage flats split equally between two blocks.

6.6. The site frontage will be reconfigured, with the access arrangement condensed and footway on the southern side of the carriageway reinstated. The large existing egress at the western side of the site will be removed and a new standard priority junction introduced to replace the eastern access. A new delivery / loading layby will be created on the southern side of Forsyth Street to the west of the enhanced site access with the footway routing around the rear. In additional to the proposed delivery bay, 4 new car parking spaces will be introduced on the northern western boundary at the rear of the footway accessible via dropped kerb.

6.7. The site access junction will provide a route to the central area of the site with parking located either side. The internal road will be introduced in T-Shaped arrangement to support larger vehicle turning manoeuvres. The minor section of the internal T-Shaped arrangement will operate as a parking courtyard and will host parking facilities either side.

6.8. The light industrial unit will be positioned to the east of the access junction directly south of the 4 proposed site frontage parking spaces and east of the site spine road. The convenience retail store will be located on the northern boundary of the site, to the south of the proposed delivery loading bay. To the south of the access roads and parking facilities, the cottage flats will sit on the southern boundary side by side.

6.9. Pedestrian access to the site will be provided from the northern boundary via Forsyth Street. A new dropped kerb crossing with tactile paving will be introduced between the enhanced site access junction and the proposed frontage car parking spaces. Access to the light industrial unit will be via an entrance on the

northern elevation which will front the footway, as will access to the retail unit with entrance directly south of the delivery bay.

6.10. A zebra crossing will be introduced within the private internal spine road to support pedestrians crossing the minor arm of the junction. Access to the residential cottage flats will be introduced via a footway between the retail building and the parking bays on the western side of the site spine road. Another zebra crossing will be introduced over the parking court providing access to a surfaced area around the perimeter of both flatted buildings.

6.11. A people trip assessment of the development proposals has been undertaken for all modes of travel which confirms that the walking, cycling and public transport provision in the area is excellent and sufficient to accommodate the expected future demand. The development will be designed to link to the existing transport infrastructure and encourages access by all modes.

6.12. The nature of the surrounding road network is considered sufficient to accommodate the likely traffic demands associated with the development proposals, as a result, it is considered that the development site and proposals are in line with current transport planning policy.

Conclusions

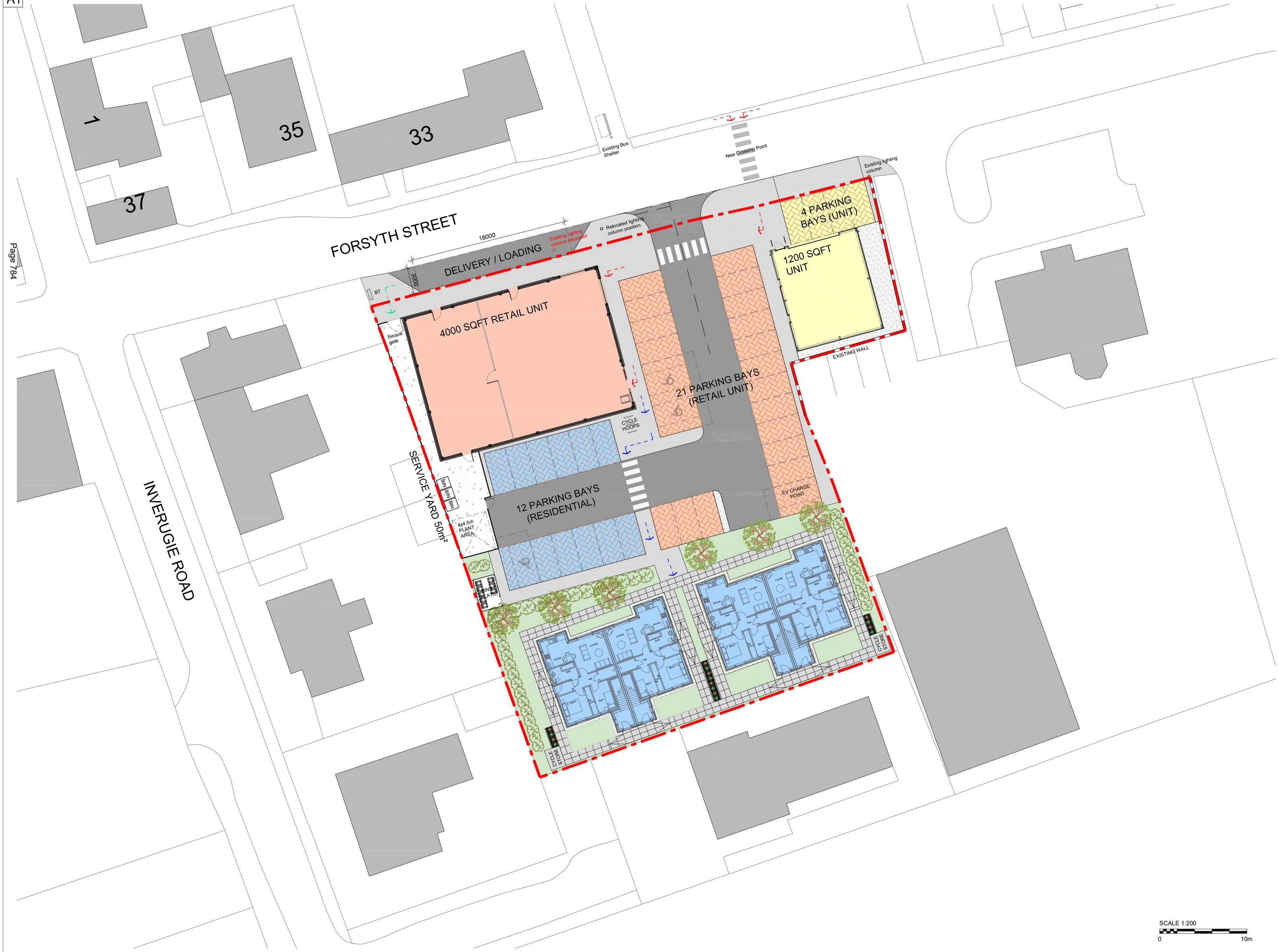
6.13. This Transport Statement demonstrates that the development site will be accessible by sustainable modes of travel and integrate effectively with the existing transport network. In addition, the site can be accessed safely from the adjacent road network by private vehicles without compromising the safety or efficiency of existing road users, therefore, in transportation terms, this Transport Statement demonstrates that the proposed development satisfies all policy requirements.

APPENDICES

A. Site Layout

A1

Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "DO NOT SCALE". The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent.



N

PLANNING

LEGEND:

- SITE BOUNDARY. AREA: 2693m² / 0.67 ACRES
- TARMAC ROADS.
- TARMAC FOOTPATHS.
- BLOCK PAVIORS.
- CONCRETE SLAB.
- STONE CHIPPINGS.
- GRASSED AREAS.
- PAVING SLABS.
- PEDESTRIAN ACCESS TO RETAIL/ RESIDENTIAL.
- PEDESTRIAN ACCESS TO RESIDENTIAL ONLY.
- SERVICE YARD / DELIVERY ACCESS.

SCALE 1:200
0 10m

Rev.	Date	Remarks	By	Ch.
B	03.07.2020	Amendments to suit topo.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED SITE PLAN

Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM

Drawing no. L-003

Rev B

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Notes:-

Visibility Splay 2.4m x 43m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

ECS Transport Planning Ltd
Centrum Offices
38 Queen Street
Glasgow
G1 3DX

Telephone: 0844 443 0934
Email: info@ecstransport.co.uk

Client
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project
PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title
INDICATIVE ACCESS ARRANGEMENT

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
1:500	10.07.20

Project No.	Drawing No.	Rev
20044	20044_003	-

Purpose of Issue
- ☐ Preliminary
- ☐ For Tender
- ☐ For Construction
- ☐ _____
- ☑ For Information
- ☐ For Approval
- ☐ As Built

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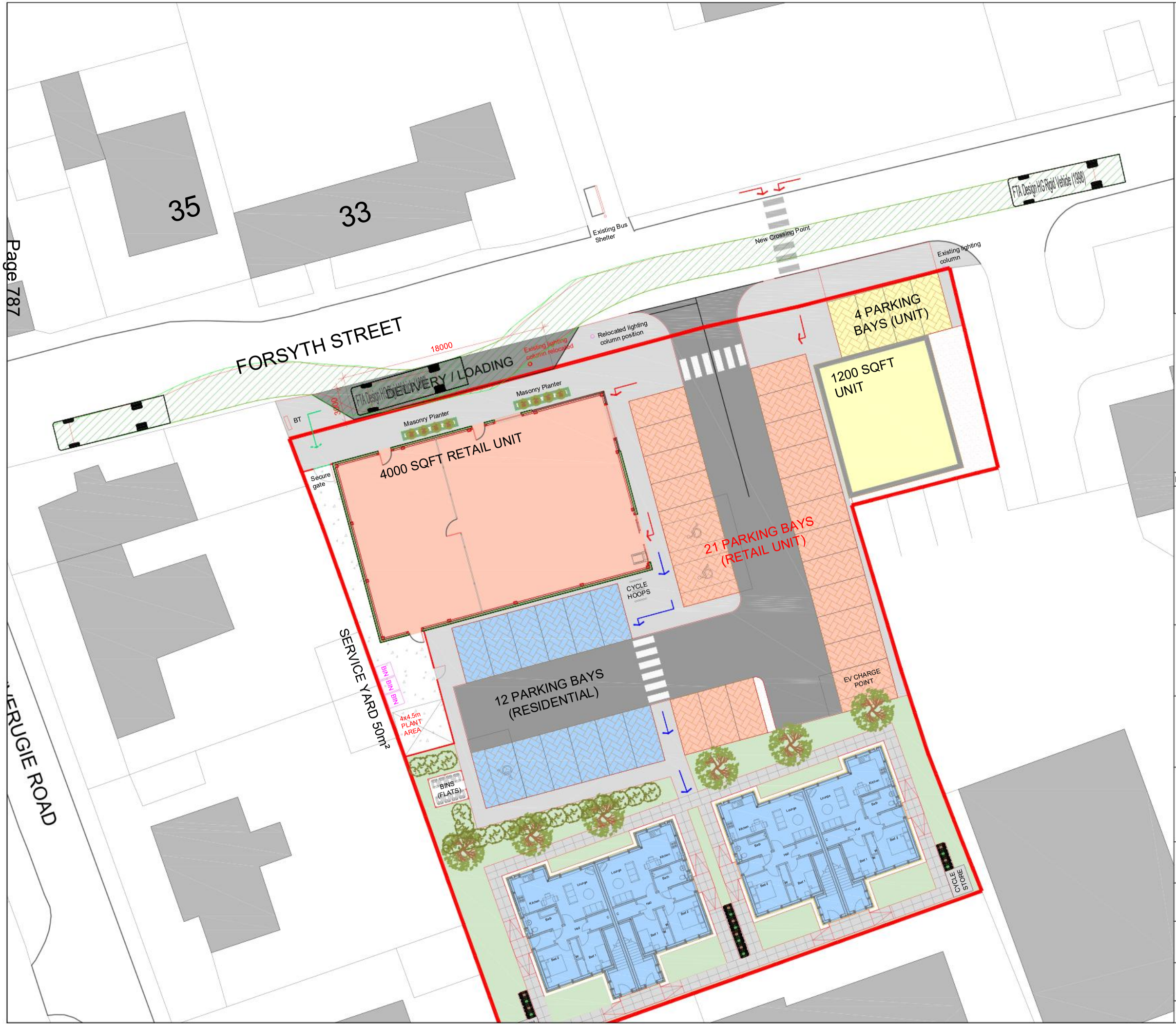
B. Vehicle Swept Paths



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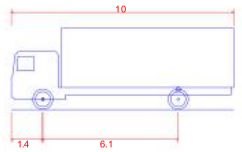

FTA Design HG Rigid Vehicle (1998)	
Overall Length	10.000m
Overall Width	2.500m
Overall Body Height	3.645m
Min Body Ground Clearance	0.440m
Track Width	2.470m
Lock to lock time	3.00s
Kerb to Kerb Turning Radius	11.000m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

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G1 3DX

ECS TRANSPORT PLANNING LIMITED

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Client
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project
PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title
SERVICE VEHICLE SWEPT PATHS

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
N.T.S	10.07.20

Project No.	Drawing No.	Rev
20044	20044_002	-

Purpose of Issue
- ☐ Preliminary
- ☐ For Tender
- ☐ For Construction
- ☐ _____
- ☑ For Information
- ☐ For Approval
- ☐ As Built

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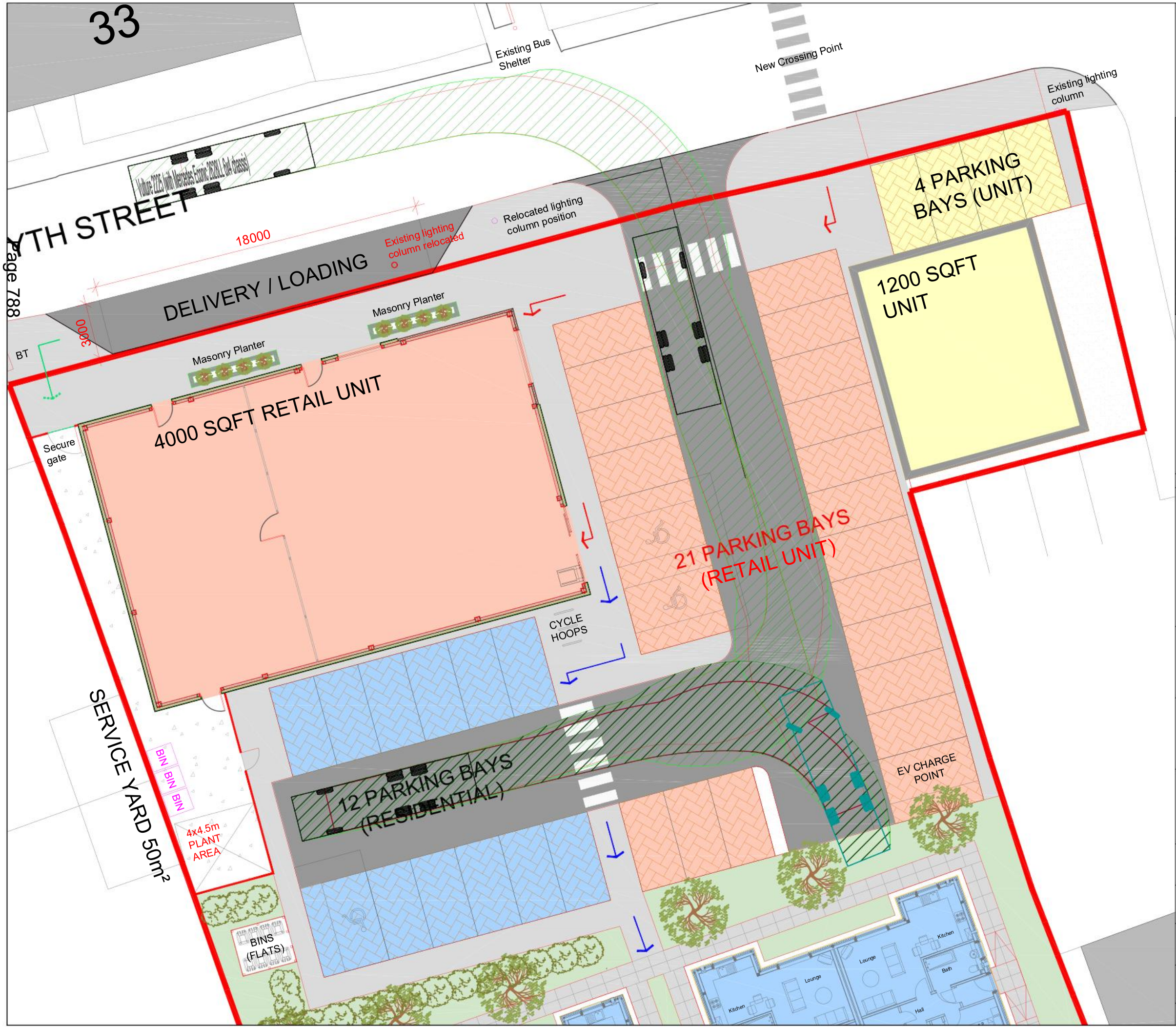

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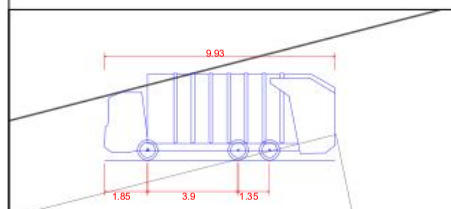

Vulture 2225 (with Mercedes Econic 2628LL 6x4 chassis)

Overall Length	9.930m
Overall Width	2.490m
Overall Body Height	3.749m
Min Body Ground Clearance	0.302m
Track Width	2.490m
Lock to lock time	4.00s
Wall to Wall Turning Radius	9.100m

REV	DATE	AMENDMENTS	DRAWN	CHK	APP

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ECS TRANSPORT PLANNING LIMITED

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Client
SPRINGFIELD REAL ESTATE MANAGEMENT LTD

Project
PROPOSED MIXED USE DEVELOPMENT, FORSYTH STREET, HOPEMAN

Title
REFUSE VEHICLE SWEPT PATHS

Team	Drawn	Checked	Approved
-	SS	MS	MS

Scale @ A3	Date
N.T.S	10.07.20

Project No.	Drawing No.	Rev
20044	20044_001	-

Purpose of Issue
- [ ] Preliminary
- [ ] For Tender
- [ ] For Construction
- [ ] _____
- [x] For Information
- [ ] For Approval
- [ ] As Built

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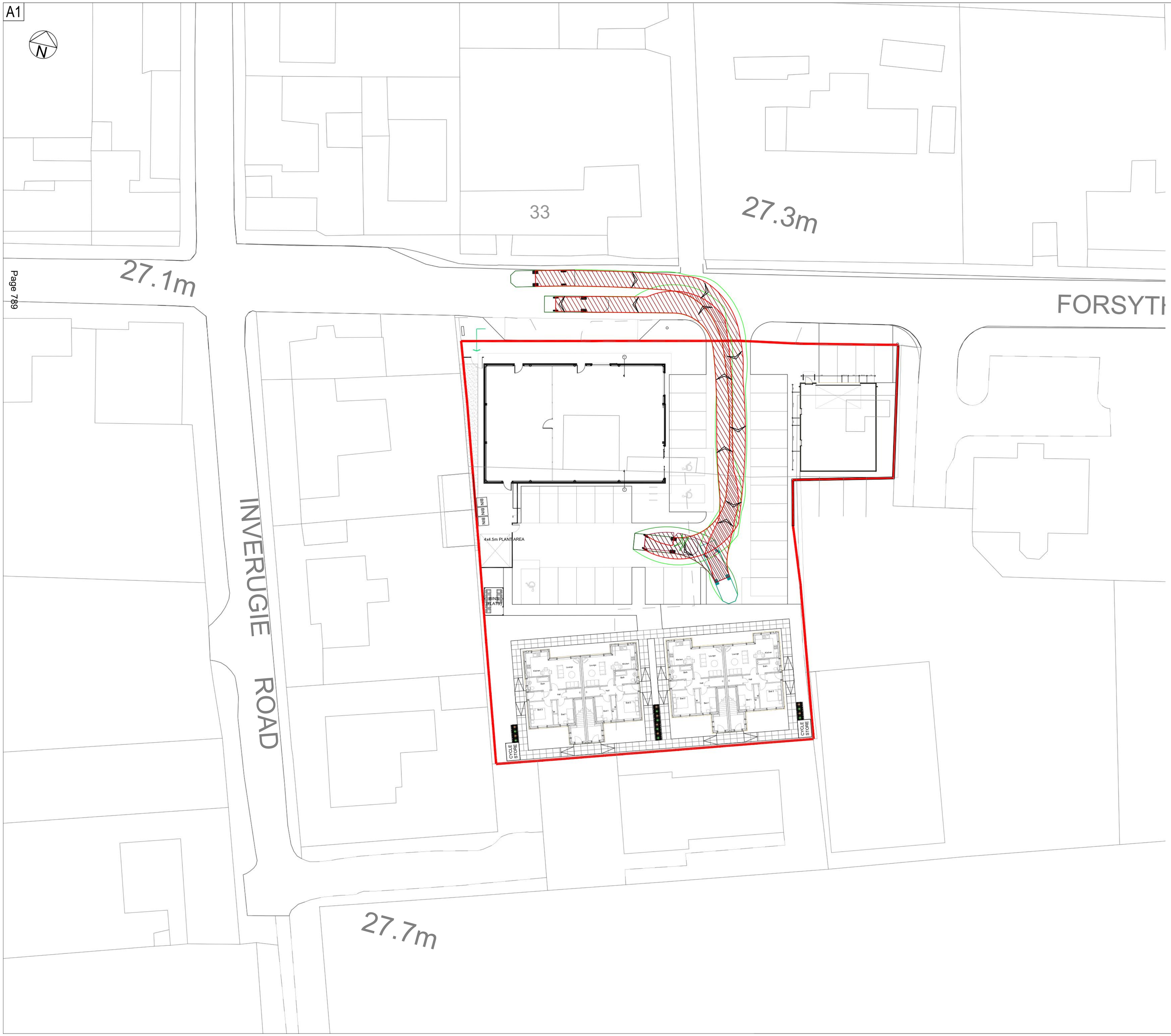
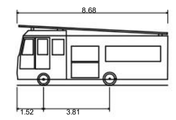
A1





DB32 Fire Appliance	
Overall Length	8.680m
Overall Width	2.180m
Overall Body Height	3.452m
Min Body Ground Clearance	0.337m
Max Track Width	2.121m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	7.910m

NOTES:

1. SITE MEASUREMENTS OR VEHICLE TRACKING SHOULD BE ASSESSED ON A LARGE SCALE ENGINEERING TOPOGRAPHICAL SURVEY OR ARCHITECTS PRECISION LAYOUTS TO VERIFY THAT ADEQUATE CLEARANCES CAN BE ACHIEVED.

LEGEND

- WHEEL TRACKED PATHWAY
- VEHICLE OUTLINE/ENVELOPE
- REVERSE TRAVEL
- WHEEL TRACKED PATHWAY
- VEHICLE OUTLINE/ENVELOPE
- ROAD KERBLINE
- VEHICLE OVER-RUN
- VEHICLE OVER-SAIL
- KERBLINE ADJUSTED

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PLANNING

Rev.	Date	Remarks	By	Ch.

Revisions

SREM

SPRINGFIELD REAL ESTATE MANAGEMENT LTD

4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
VEHICLE SWEPT PATH

Scale	Date	Drawn by	Checked by
1:250	08.07.20	PD	

Drawing no.
10045-C-401

Rev

C. Census / TRICS / Multi-Modal

C11

Scotland's Census 2011 - National Records of ScotlandTable QS702SC - Method of travel to work or study (1)All people aged 4 and over who are studying or aged 16 to 74 in employment in the week before the census
Datazone 2011 by Transport to place of work or study by Term-time Address (Indicator) and In education or employment
Counting: Person

Filters:
Default Summation Person
Term-time Address Resident
In education or empIn education or employment - Part time students

Transport to place of work or study	All people	Work or study mainly at or from	Underground, metro, light rail or	Train	Bus, minibus or coach	Taxi or minicab	Driving a car or van	Passenger in a car or van	Motorcycle, scooter or moped	Bicycle	On foot	Other
Datazone 2011												
S01011143	630	56	2	24	80	3	279	36	3	10	103	34
S01011144	518	52	0	19	70	6	237	46	2	8	69	9
	1148	108	2	43	150	9	516	82	5	18	172	43
	1040	9.41%	0.19%	4.13%	14.42%	0.87%	49.62%	7.88%	0.48%	1.73%	16.54%	4.13%

(1) Excludes some 4 and 5 year olds (a total of 11,867 in Scotland) who were reported as being in full-time education but for whom no information on their place of study or method of travel to study was provided.

20044 Forsyth Street, Hopeman

Hopeman - All people aged 4 and over who are studying or aged 16 to 74 in employment in the week before the census

Total People	Works or studies mainly at or from home	Not currently working or studying	Underground, tube, metro or light rail	Train	Bus, minibus or coach	Taxi or minicab	Driving a car or van	Passenger in a car or van	Motorcycle, scooter or moped	Bicycle	On foot	Other	TOTAL
1148	108		2	43	150	9	516	82	5	18	172	43	1040
			0.19%	4.13%	14.42%	0.87%	49.62%	7.88%	0.48%	1.73%	16.54%	4.13%	100.00%

Residential Vehicle Trips Only

	IN	OUT	TOTAL
AM	2	4	6
PM	2	1	4

Residential People Trips Only

	IN	OUT	TOTAL
AM	3	8	11
PM	4	3	7

		Underground	Train	Bus	Taxi	Car Driver	Passenger	M/cycle	Bicycle	Foot	Other	Total
AM	IN	0	0	0	0	2	0	0	0	1	0	**3**
	OUT	0	0	1	0	4	1	0	0	1	0	**8**
	TOTAL	**0**	**0**	**2**	**0**	**6**	**1**	**0**	**0**	**2**	**0**	**11**
PM	IN	0	0	1	0	2	0	0	0	1	0	**4**
	OUT	0	0	0	0	1	0	0	0	0	0	**3**
	TOTAL	**0**	**0**	**1**	**0**	**4**	**1**	**0**	**0**	**1**	**0**	**7**

Calculation Reference: AUDIT-654801-200709-0719

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 03 - RESIDENTIAL
Category : A - HOUSES PRIVATELY OWNED
VEHICLES

Selected regions and areas:

04	EAST ANGLIA		
	SF	SUFFOLK	1 days
05	EAST MIDLANDS		
	LN	LINCOLNSHIRE	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE		
	NY	NORTH YORKSHIRE	1 days
08	NORTH WEST		
	CH	CHESHIRE	2 days
11	SCOTLAND		
	AG	ANGUS	1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Primary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: No of Dwellings
Actual Range: 7 to 24 (units:)
Range Selected by User: 5 to 25 (units:)

Parking Spaces Range: All Surveys Included

Parking Spaces per Dwelling Range: All Surveys Included

Bedrooms per Dwelling Range: All Surveys Included

Percentage of dwellings privately owned: All Surveys Included

Public Transport Provision:
Selection by: Include all surveys

Date Range: 01/01/12 to 25/09/19

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Tuesday	4 days
Wednesday	1 days
Thursday	1 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count	6 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaking using machines.

Selected Locations:

Suburban Area (PPS6 Out of Centre)	6

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Residential Zone	6

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

C3	6 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Population within 1 mile:

5,001 to 10,000	1 days
10,001 to 15,000	1 days
15,001 to 20,000	3 days
20,001 to 25,000	1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

25,001 to 50,000	1 days
50,001 to 75,000	2 days
75,001 to 100,000	2 days
100,001 to 125,000	1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	3 days
1.1 to 1.5	3 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

Yes	1 days
No	5 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present	6 days

This data displays the number of selected surveys with PTAL Ratings.

LIST OF SITES relevant to selection parameters

1 AG-03-A-01 BUNGALOWS/DET. ANGUS
KEPTIE ROAD
ARBROATH

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 7
Survey date: TUESDAY *22/05/12* *Survey Type: MANUAL*

2 CH-03-A-08 DETACHED CHESHIRE
WHITCHURCH ROAD
CHESTER
BOUGHTON HEATH
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 11
Survey date: TUESDAY *22/05/12* *Survey Type: MANUAL*

3 CH-03-A-11 TOWN HOUSES CHESHIRE
LONDON ROAD
NORTHWICH
LEFTWICH
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 24
Survey date: THURSDAY *06/06/19* *Survey Type: MANUAL*

4 LN-03-A-03 SEMI DETACHED LINCOLNSHIRE
ROOKERY LANE
LINCOLN
BOULTHAM
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 22
Survey date: TUESDAY *18/09/12* *Survey Type: MANUAL*

5 NY-03-A-13 TERRACED HOUSES NORTH YORKSHIRE
CATTERICK ROAD
CATTERICK GARRISON
OLD HOSPITAL COMPOUND
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 10
Survey date: WEDNESDAY *10/05/17* *Survey Type: MANUAL*

6 SF-03-A-04 DETACHED & BUNGALOWS SUFFOLK
NORMANSTON DRIVE
LOWESTOFT

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total No of Dwellings: 7
Survey date: TUESDAY *23/10/12* *Survey Type: MANUAL*

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
VEHICLES
Calculation factor: 1 DWELLS
BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	6	14	0.074	6	14	0.395	6	14	0.469
08:00 - 09:00	6	14	0.210	6	14	0.481	6	14	0.691
09:00 - 10:00	6	14	0.198	6	14	0.222	6	14	0.420
10:00 - 11:00	6	14	0.123	6	14	0.123	6	14	0.246
11:00 - 12:00	6	14	0.136	6	14	0.123	6	14	0.259
12:00 - 13:00	6	14	0.185	6	14	0.160	6	14	0.345
13:00 - 14:00	6	14	0.148	6	14	0.210	6	14	0.358
14:00 - 15:00	6	14	0.198	6	14	0.247	6	14	0.445
15:00 - 16:00	6	14	0.222	6	14	0.173	6	14	0.395
16:00 - 17:00	6	14	0.259	6	14	0.185	6	14	0.444
17:00 - 18:00	6	14	0.259	6	14	0.136	6	14	0.395
18:00 - 19:00	6	14	0.148	6	14	0.074	6	14	0.222
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			2.160			2.529			4.689

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

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Parameter summary

Trip rate parameter range selected:	7 - 24 (units:)
Survey date date range:	01/01/12 - 25/09/19
Number of weekdays (Monday-Friday):	6
Number of Saturdays:	0
Number of Sundays:	0
Surveys automatically removed from selection:	0
Surveys manually removed from selection:	0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are show. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

Calculation Reference: AUDIT-654801-200709-0735

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 01 - RETAIL
Category : O - CONVENIENCE STORE
MULTI-MODAL VEHICLES

Selected regions and areas:

03	SOUTH WEST		
	WL	WILTSHIRE	1 days
04	EAST ANGLIA		
	NF	NORFOLK	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE		
	NY	NORTH YORKSHIRE	1 days
	SY	SOUTH YORKSHIRE	1 days
	WY	WEST YORKSHIRE	1 days
09	NORTH		
	DH	DURHAM	1 days
	TW	TYNE & WEAR	1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Primary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: Gross floor area
Actual Range: 292 to 539 (units: sqm)
Range Selected by User: 70 to 1500 (units: sqm)

Parking Spaces Range: All Surveys Included

Public Transport Provision:
Selection by: Include all surveys

Date Range: 01/01/12 to 07/04/17

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Monday	3 days
Friday	4 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count	7 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaking using machines.

Selected Locations:

Suburban Area (PPS6 Out of Centre)	5
Neighbourhood Centre (PPS6 Local Centre)	2

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Residential Zone	6
High Street	1

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

A1	7 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Population within 1 mile:

5,001 to 10,000	2 days
10,001 to 15,000	2 days
15,001 to 20,000	2 days
25,001 to 50,000	1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

5,001 to 25,000	1 days
25,001 to 50,000	1 days
100,001 to 125,000	1 days
125,001 to 250,000	4 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	4 days
1.1 to 1.5	3 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Petrol filling station:

Included in the survey count	0 days
Excluded from count or no filling station	7 days

This data displays the number of surveys within the selected set that include petrol filling station activity, and the number of surveys that do not.

Travel Plan:

No	7 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present	7 days

This data displays the number of selected surveys with PTAL Ratings.

LIST OF SITES relevant to selection parameters

1 DH-01-O-01 SAINSBURY'S LOCAL DURHAM
132 STATION LANE
HARTLEPOOL
SEATON CAREW
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 469 sqm
Survey date: MONDAY *26/11/12* *Survey Type: MANUAL*

2 NF-01-O-01 TESCO EXPRESS NORFOLK
DEREHAM ROAD
NORWICH

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 298 sqm
Survey date: FRIDAY *26/10/12* *Survey Type: MANUAL*

3 NY-01-O-03 CO-OPERATIVE NORTH YORKSHIRE
FOREST ROAD
NORTHALLERTON

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 305 sqm
Survey date: MONDAY *19/09/16* *Survey Type: MANUAL*

4 SY-01-O-02 SAINSBURY'S LOCAL SOUTH YORKSHIRE
ECCLESALL ROAD
SHEFFIELD

Neighbourhood Centre (PPS6 Local Centre)
High Street
Total Gross floor area: 306 sqm
Survey date: FRIDAY *14/12/12* *Survey Type: MANUAL*

5 TW-01-O-02 CO-OPERATIVE TYNE & WEAR
ETHEL TERRACE
SUNDERLAND
CASTLETOWN
Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 330 sqm
Survey date: FRIDAY *07/04/17* *Survey Type: MANUAL*

6 WL-01-O-01 ONE STOP WILTSHIRE
THE CIRCLE
SWINDON

Suburban Area (PPS6 Out of Centre)
Residential Zone
Total Gross floor area: 292 sqm
Survey date: FRIDAY *23/09/16* *Survey Type: MANUAL*

7 WY-01-O-02 CO-OPERATIVE WEST YORKSHIRE
AINSTY ROAD
WETHERBY

Neighbourhood Centre (PPS6 Local Centre)
Residential Zone
Total Gross floor area: 539 sqm
Survey date: MONDAY *26/09/16* *Survey Type: MANUAL*

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE
MULTI-MODAL VEHICLES
Calculation factor: 100 sqm
BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	4.203	3	381	4.028	3	381	8.231
07:00 - 08:00	7	363	7.759	7	363	7.247	7	363	15.006
08:00 - 09:00	7	363	8.665	7	363	8.350	7	363	17.015
09:00 - 10:00	7	363	6.341	7	363	5.711	7	363	12.052
10:00 - 11:00	7	363	6.144	7	363	6.065	7	363	12.209
11:00 - 12:00	7	363	5.317	7	363	5.553	7	363	10.870
12:00 - 13:00	7	363	7.995	7	363	7.404	7	363	15.399
13:00 - 14:00	7	363	5.790	7	363	5.632	7	363	11.422
14:00 - 15:00	7	363	6.735	7	363	6.617	7	363	13.352
15:00 - 16:00	7	363	7.562	7	363	7.838	7	363	15.400
16:00 - 17:00	7	363	9.059	7	363	8.074	7	363	17.133
17:00 - 18:00	7	363	10.240	7	363	9.413	7	363	19.653
18:00 - 19:00	7	363	11.422	7	363	11.934	7	363	23.356
19:00 - 20:00	7	363	8.153	7	363	9.137	7	363	17.290
20:00 - 21:00	6	375	3.738	6	375	5.296	6	375	9.034
21:00 - 22:00	6	375	2.804	6	375	3.249	6	375	6.053
22:00 - 23:00	1	469	1.919	1	469	2.559	1	469	4.478
23:00 - 24:00									
Total Rates:			113.846			114.107			227.953

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

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Parameter summary

Trip rate parameter range selected:	292 - 539 (units: sqm)
Survey date date range:	01/01/12 - 07/04/17
Number of weekdays (Monday-Friday):	7
Number of Saturdays:	0
Number of Sundays:	0
Surveys automatically removed from selection:	0
Surveys manually removed from selection:	0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are show. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE
MULTI-MODAL CYCLISTS
Calculation factor: 100 sqm
BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	0.438	3	381	0.350	3	381	0.788
07:00 - 08:00	7	363	0.433	7	363	0.394	7	363	0.827
08:00 - 09:00	7	363	0.315	7	363	0.315	7	363	0.630
09:00 - 10:00	7	363	0.197	7	363	0.158	7	363	0.355
10:00 - 11:00	7	363	0.118	7	363	0.079	7	363	0.197
11:00 - 12:00	7	363	0.158	7	363	0.158	7	363	0.316
12:00 - 13:00	7	363	0.315	7	363	0.276	7	363	0.591
13:00 - 14:00	7	363	0.118	7	363	0.197	7	363	0.315
14:00 - 15:00	7	363	0.315	7	363	0.315	7	363	0.630
15:00 - 16:00	7	363	0.433	7	363	0.473	7	363	0.906
16:00 - 17:00	7	363	0.709	7	363	0.512	7	363	1.221
17:00 - 18:00	7	363	0.630	7	363	0.630	7	363	1.260
18:00 - 19:00	7	363	0.709	7	363	0.591	7	363	1.300
19:00 - 20:00	7	363	0.433	7	363	0.354	7	363	0.787
20:00 - 21:00	6	375	0.089	6	375	0.267	6	375	0.356
21:00 - 22:00	6	375	0.134	6	375	0.134	6	375	0.268
22:00 - 23:00	1	469	0.000	1	469	0.000	1	469	0.000
23:00 - 24:00									
Total Rates:			5.544			5.203			10.747

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE
MULTI-MODAL PEDESTRIANS
Calculation factor: 100 sqm
BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	3.415	3	381	3.327	3	381	6.742
07:00 - 08:00	7	363	7.168	7	363	6.144	7	363	13.312
08:00 - 09:00	7	363	9.492	7	363	8.862	7	363	18.354
09:00 - 10:00	7	363	7.680	7	363	6.656	7	363	14.336
10:00 - 11:00	7	363	7.168	7	363	6.932	7	363	14.100
11:00 - 12:00	7	363	7.917	7	363	7.562	7	363	15.479
12:00 - 13:00	7	363	8.232	7	363	7.956	7	363	16.188
13:00 - 14:00	7	363	9.137	7	363	9.571	7	363	18.708
14:00 - 15:00	7	363	8.822	7	363	9.098	7	363	17.920
15:00 - 16:00	7	363	12.288	7	363	11.579	7	363	23.867
16:00 - 17:00	7	363	9.965	7	363	10.358	7	363	20.323
17:00 - 18:00	7	363	10.752	7	363	10.595	7	363	21.347
18:00 - 19:00	7	363	11.737	7	363	11.776	7	363	23.513
19:00 - 20:00	7	363	10.004	7	363	11.461	7	363	21.465
20:00 - 21:00	6	375	7.299	6	375	7.655	6	375	14.954
21:00 - 22:00	6	375	6.231	6	375	7.076	6	375	13.307
22:00 - 23:00	1	469	0.000	1	469	0.000	1	469	0.000
23:00 - 24:00									
Total Rates:			137.307			136.608			273.915

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE
MULTI-MODAL PUBLIC TRANSPORT USERS
Calculation factor: 100 sqm
BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	0.000	3	381	0.000	3	381	0.000
07:00 - 08:00	7	363	0.197	7	363	0.079	7	363	0.276
08:00 - 09:00	7	363	0.394	7	363	0.354	7	363	0.748
09:00 - 10:00	7	363	0.315	7	363	0.236	7	363	0.551
10:00 - 11:00	7	363	0.630	7	363	0.670	7	363	1.300
11:00 - 12:00	7	363	0.354	7	363	0.315	7	363	0.669
12:00 - 13:00	7	363	0.315	7	363	0.551	7	363	0.866
13:00 - 14:00	7	363	0.236	7	363	0.197	7	363	0.433
14:00 - 15:00	7	363	0.591	7	363	0.433	7	363	1.024
15:00 - 16:00	7	363	0.315	7	363	0.315	7	363	0.630
16:00 - 17:00	7	363	0.236	7	363	0.158	7	363	0.394
17:00 - 18:00	7	363	1.260	7	363	1.339	7	363	2.599
18:00 - 19:00	7	363	0.709	7	363	0.591	7	363	1.300
19:00 - 20:00	7	363	0.158	7	363	0.197	7	363	0.355
20:00 - 21:00	6	375	0.089	6	375	0.089	6	375	0.178
21:00 - 22:00	6	375	0.045	6	375	0.045	6	375	0.090
22:00 - 23:00	1	469	0.000	1	469	0.000	1	469	0.000
23:00 - 24:00									
Total Rates:			5.844			5.569			11.413

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

TRIP RATE for Land Use 01 - RETAIL/O - CONVENIENCE STORE
MULTI-MODAL TOTAL PEOPLE
Calculation factor: 100 sqm
BOLD print indicates peak (busiest) period

	ARRIVALS			DEPARTURES			TOTALS		
Time Range	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	3	381	8.406	3	381	7.968	3	381	16.374
07:00 - 08:00	7	363	16.857	7	363	15.163	7	363	32.020
08:00 - 09:00	7	363	20.520	7	363	19.575	7	363	40.095
09:00 - 10:00	7	363	15.794	7	363	13.864	7	363	29.658
10:00 - 11:00	7	363	14.927	7	363	14.376	7	363	29.303
11:00 - 12:00	7	363	14.691	7	363	14.533	7	363	29.224
12:00 - 13:00	7	363	17.881	7	363	17.093	7	363	34.974
13:00 - 14:00	7	363	16.266	7	363	16.660	7	363	32.926
14:00 - 15:00	7	363	17.290	7	363	17.290	7	363	34.580
15:00 - 16:00	7	363	22.450	7	363	22.135	7	363	44.585
16:00 - 17:00	7	363	22.686	7	363	21.583	7	363	44.269
17:00 - 18:00	7	363	25.167	7	363	24.262	7	363	49.429
18:00 - 19:00	7	363	28.082	7	363	28.279	7	363	56.361
19:00 - 20:00	7	363	20.835	7	363	23.119	7	363	43.954
20:00 - 21:00	6	375	12.639	6	375	14.953	6	375	27.592
21:00 - 22:00	6	375	10.191	6	375	11.660	6	375	21.851
22:00 - 23:00	1	469	2.772	1	469	3.625	1	469	6.397
23:00 - 24:00									
Total Rates:			287.454			286.138			573.592

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

DRUMMOND BLACK CONSULTING LTD

Springfield Real Estate Management (SREM) Ltd.

Proposed Mixed Use Development
Forsyth Street, Hopeman

Combined Stage 1 □ 2 Road Safety Audit

Report No. D00041 – RSA2

4 Kempston Place
South Queensferry
Edinburgh,
EH30 9QW

Date: 18 January 2021

DOCUMENT CONTROL

Document:	Combined Stage 1 □ Stage 2 Road Safety Audit
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Client:	SREM
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Primary Author	Richard Pearson	Initialled:	RP
Contributor		Initialled:	
Review By	Kevin Nicholson	Initialled:	KN

Issue	Date	Status	Checked for Issue
1	18 January 2021	For Issue	KN

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Appendix B – Location plan of problems identified

1 Introduction

1.1 This report results from a Combined Stage 1 Stage 2 Road Safety Audit carried out on the proposed mixed-use development on the south side of Forsyth Street, Hopeman at the request of Springfield Real Estate Management (SREM) Ltd. on behalf of The Moray Council (TMC) as the Overseeing Organisation. The project comprises of a simple priority junction access (to replace the existing 2 former garage forecourt accesses) to access parking for 2 retail units and 8 residential apartments. As part of the proposal a crossing will be provided across Forsyth Street.

1.2 The scope of the Road Safety Audit is to review the access junction and internal layout of the proposed scheme.

1.3 A road safety audit brief was provided by SREM in the form of an instructional email containing design drawings, street engineering review and a Transport Statement. It is not general practice of TMC to approve the audit brief and audit team prior to an audit, however the audit is considered acceptable, so long as qualification criteria and process of national standard has been followed. The Audit Team accepted the brief.

1.4 This site is a former Garage/Petrol Filling Station. Forsyth Street is a long straight road subject to a 30-mph limit with footways and street lighting on both sides of the street at the location of the site. There is a bus stop directly opposite the site (eastbound) and westbound bus stops either side of the site.

1.5 An initial investigation of collision history of the location shows no collisions in the past 5 years in the immediate vicinity of the site.

1.6 The audit was carried out by the following:

Audit Team Leader
Richard Pearson BSc (Hons) CMILT MCIHT MSoRSA
HE Approved Certificate of Competency
Director, Drummond Black Consulting Ltd.
Edinburgh

Audit Team Member
Kevin Nicholson BSc CMaths MCIHT FSoRSA
HE Approved Certificate of Competency
Director, Nicholson Sloan Consultancy Limited

1.7 The audit took place during January 2021 and comprised of a desk top study of the plans and reports provided, which are listed in **Appendix A.** A site visit was also carried out at 12 noon on the 13th January 2021. The site visit was carried out by the Audit Team Leader alone as a result of COVID restrictions in place. At the time of the site visit it was overcast and the road surface was damp from earlier rain. Traffic was light.

1.8 The terms of reference of the audit are generally as described in DMRB Volume 5 Section 2 GG119 (Rev 2) "Road Safety Audit". As this standard is primarily focused on the strategic road network and TMC does not have its own standard, the Audit Team has followed guidance from the CIHT Guidelines for Road Safety Audit on implementing the standard as appropriate to this scheme. The points not followed in particular are the approval of audit team and brief (See para. 1.3) and the Audit Team deals directly with the Design Team and not the Overseeing Organisation.

1.9 The team has examined and reported only on the road safety implications of the scheme and has not examined or verified the compliance of the design to any other criteria. Reference may be made to certain design standards however this report is not intended to provide a design check. The team has examined and reported only on the road safety implications of the chosen design. No attempt has been made to comment on the justification of the scheme or the appropriateness of the design. Consequently, the Auditors accept no responsibility for the design or the construction of the scheme.

1.10 All of the problems described in this report are considered by the audit team to require action in order to improve the safety of the scheme and minimise the likelihood of a collision. The location of the site and the locations of any specific problems are referenced on the plans in **Appendix B**.

2 Items Raised at Previous Road Safety Audits

2.1 The Audit Team has not been advised of any previous Road Safety Audits on this scheme.

3 Items Raised at this Combined Stage 1 & Stage 2 Road Safety Audit

NON-MOTORISED USERS

3.1 PROBLEM

Location: Proposed crossing facilities.

Summary: The absence of dropped kerbs and tactile paving could lead to pedestrians tripping and falling or being struck by vehicles.

Dropped kerbs and tactile paving are not shown with the proposed crossing facilities. Notwithstanding that the Local Highway Authority may have a policy to install dropped facilities only in areas of heavy pedestrian traffic, if these are not provided, wheelchair users could attempt to cross and find themselves stranded in the carriageway on the exit side, increasing the risk of collisions and of overturning. Visually impaired pedestrians could be confused as to where to cross, again increasing the risk of trips or of conflicts with vehicles.

RECOMMENDATION

It is recommended that dropped kerbs and tactile paving are provided at the crossing facilities.

3.2 PROBLEM

Location: Proposed Disabled parking.

Summary: Absence of dropped kerbs at disabled parking bays.

No kerbing details are shown on the design to indicate the location of the proposed dropped kerbs. It is not clear if a dropped kerb is to be provided adjacent to the disabled parking bays within the car park. The absence of dropped kerbs to assist mobility impaired users to gain access to the footway could be hazardous and result in trip and fall accidents as well as a risk of wheelchair users overturning.

RECOMMENDATION

It is recommended that dropped kerbs are provided adjacent to the disabled parking bays.

3.3 PROBLEM

Location: Westbound bus stops on Forsyth Street.

Summary: Absence of footway connections to westbound bus stops.

There is currently no direct footway connection to either of the westbound bus stops. The absence of provision could result in pedestrians walling on the carriageway or on the grass verge, risking being struck by a vehicle or risking trip and fall accidents.

Figure 1: Route to westbound bus stops

RECOMMENDATION

It is recommended that a direct footway connection is provided. It is understood that TMC have plans for a footway to the west of the site. The design team should discuss this with them and ensure this co-ordinates with the development proposals.

3.4 PROBLEM (read in conjunction with 3.5 below)

Location: Proposed crossing facilities on Forsyth Street.

Summary: Insufficient detail of proposed crossing.

The drawings (and Transport Statement) specify the provision of zebra crossing facilities, however, the drawings do not include full details of the required beacons and road markings for these types of crossing. The absence of markings and beacons can result in drivers failing to stop and colliding with pedestrians. The absence of zig-zag markings could also result in parking in close proximity of the crossing, restricting visibility.

RECOMMENDATION

It is recommended that the crossing is designed with the full markings and beacons as required for these crossing types.

3.5 PROBLEM (read in conjunction with 3.4 above)

Location: Proposed crossing facilities on the development access road.

Summary: The location of the crossing could increase the risk of collisions.

The Transport Statement and drawings identify a Zebra crossing for the access road. If this in installed to full specification, motorists will be obliged to give way to pedestrians once they have established precedence by stepping on to the crossing. This could result in drivers of long turning vehicles braking suddenly and overhanging the carriageway on Forsyth Street, with the attendant risk of collisions involving westbound vehicles.

RECOMMENDATION

It is recommended that the crossing point is installed as an informal facility.

3.6 PROBLEM

Location: Proposed Forsyth Street crossing.

Summary: Potential collisions with pedestrians and manoeuvring vehicles.

The proposed zebra crossing in close proximity to the access to the 4 parking bays could potentially create a risk of collisions between pedestrians and manoeuvring vehicles. The Audit Team are particularly concerned where vehicles may be reversing out of spaces where they could collide with pedestrians either on the crossing or on the footway. Visibility for these drivers may also be restricted by the wall to the east of the parking bays.

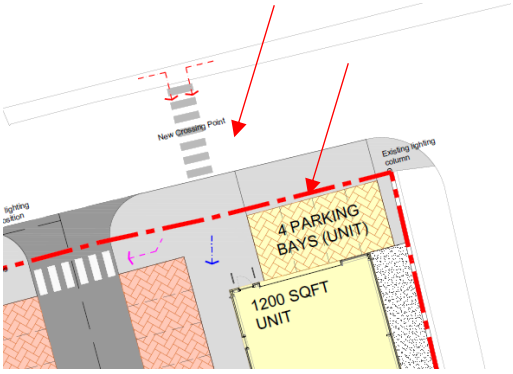


Figure 2: Parking Bays

RECOMMENDATION

It is recommended that the parking bays are moved directly adjacent to the carriageway with the footway behind. It is also recommended the crossing be relocated slightly east to allow space for a reversing car to not encroach onto the crossing point.

SIGNING, ROAD MARKINGS LIGHTING

3.7 PROBLEM

Location: Proposed access and crossing on Forsyth Street

Summary: Increase in use and lack of junction and crossing warning signs could result in a variety of collision types at the crossing/ access junction.

As the junction proposals will facilitate an increase in use and with the introduction of a new controlled crossing, there is likely to be an increase in traffic turning into the access from Forsyth Street. With drivers not expecting this increase in turning movements, this could result in motorists following too close and with some hesitation, could result in rear shunt type collisions. In addition to this, drivers may not expect this level of traffic to emerge from the minor arm access. This could increase risk of side impact collisions. The introduction of the crossing with the absence of warning signs could increase risk of rear shunt collisions or vehicles overshooting the crossing and colliding with pedestrians.

RECOMMENDATION

It is recommended that advanced junction warning signs are provided on both approaches to the junction and crossing. A “New Road Layout Ahead sign” would appear to be the most appropriate.

4 Audit Team Statement

4.1 We certify that the terms of reference of the audit are generally in accordance with GG119 and additional guidance set out in CIHT guidelines for Road Safety Audit.

Audit Team Leader

Richard Pearson BSc (Hons) CMILT MCIHT MSoRSA
HE Approved Certificate of Competency
Director, Drummond Black Consulting Ltd.

4 Kempston Place
South Queensferry
Edinburgh
EH30 9QW
Tel: 44(0) 7866 851654

Signed:

[redacted]

Date: 18 January 2021

Audit Team Member

Kevin Nicholson BSc CMaths MCIHT FSoRSA
HE Approved Certificate of Competency
Director, Nicholson Sloan Consultancy Limited.

Cherry Tree Cottage
Hayton
Brampton
Cumbria
CA8 9HT

Signed:

[redacted]

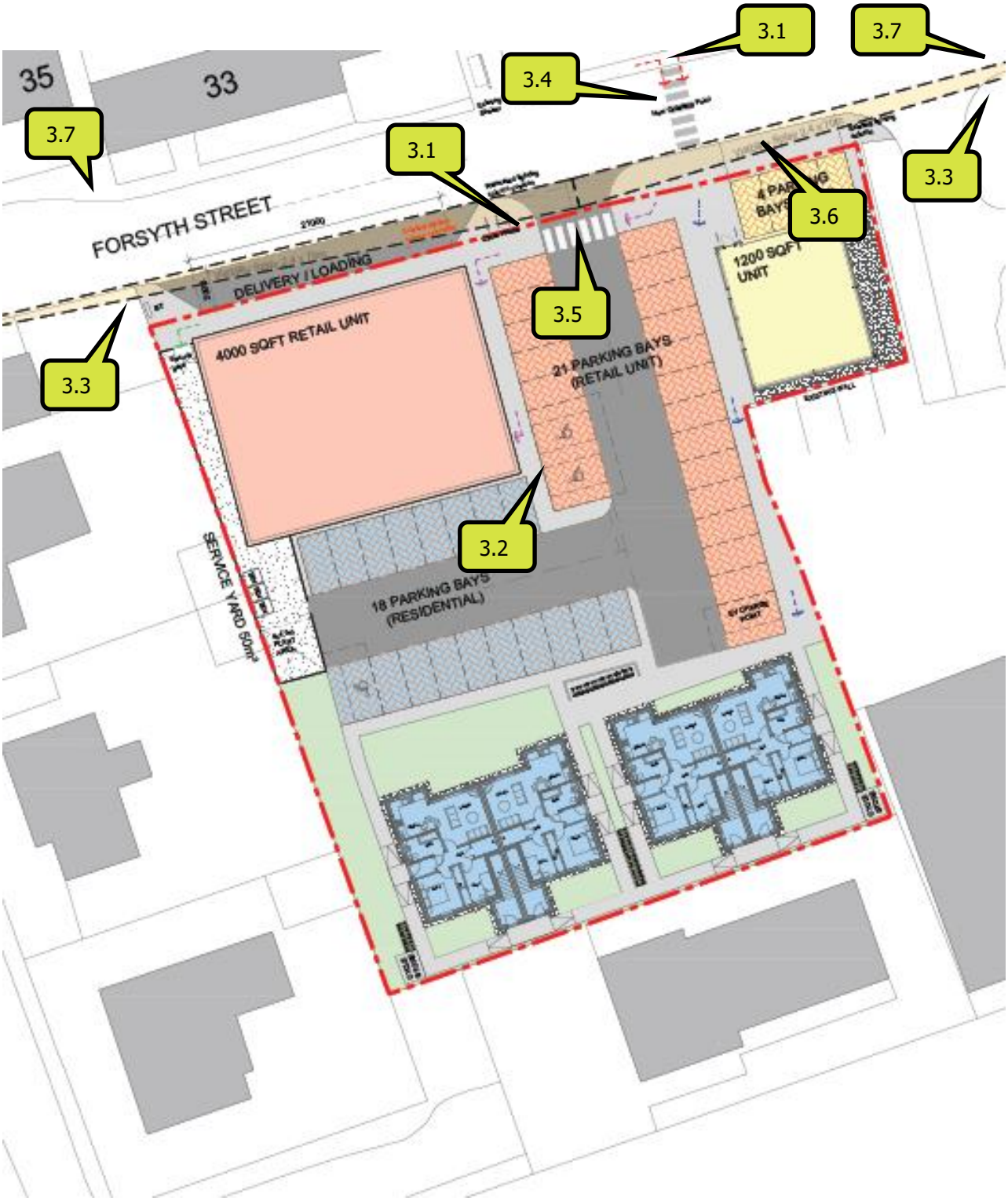
Date: 18 January 2021

Appendix A – List of drawings/documents provided

List of Drawings and Documents Provided

Doc. No.	Doc Title
20044	Transport Statement
L001	Location Plan
L003-D	Proposed Site Plan
10045-301-B	Levels Layout
N/A	Street Engineering Review (August 2020) – Containing detailed drawings

Appendix B – Location plan of problems identified


3.1
3.7
3.4
35
33
3.7
3.1
3.6
3.3
FORSYTH STREET
DELIVERY / LOADING
4000 SQFT RETAIL UNIT
1200 SQFT UNIT
3.5
21 PARKING BAYS (RETAIL UNIT)
3.3
3.2
SERVICE YARD 50m²
18 PARKING BAYS (RESIDENTIAL)

APPENDIX 3

FURTHER REPRESENTATIONS FROM INTERESTED PARTIES

Lissa Rowan

From: [redacted]
Sent: 08 July 2021 19:41
To: Committee Services; Lissa Rowan
Subject: Attn: Clerk to the Moray Council Local Review Body

Dear Sir/Madam,
I was informed today by Lissa Rowan, Committee Services Officer, of the Notice of Review with regard Planning Application 20/00474/APP.

I have read the Appealants submissions and have the following points I wish to add to my previous objection:

1. The Appealant states "NPF 3 calls for the creation of walkable places with well-designed streets that link our open spaces and wider active travel networks, thus improving health and well-being. It is evident that the proposals improve and promote both walking and cycle routes". NPF 3 also states that the goal is for Scotland to be a Low Carbon Place. The SNP Government has actively stated that they desire Scotland to move away from Diesel and Petrol vehicles by 2030. If the Appealant is so keen that their development is seen to contribute to NPF 3 goals, where within their plans are the elements that contribute to Low Carbon. As an Electric Vehicle driver, I am thinking explicitly about Electric Vehicle charging infrastructure. I do not see 2 x EV as sufficient to support the housing units let alone customers to the retail store that might well need to charge an EV.
2. The Appealant states "The proposed store will support approximately 5 full time & 16 part time employees. In addition to this, it is intended the proposed industrial unit could employ an additional number of staff from 2-5." My understanding of one of the grounds for the initial planning refusal, was that it was felt that the company had been disingenuous in the claimed impact having a Coop Store might have on other local businesses. It is very evident to village residents that such a store could easily drive the Costcutter and Hopeman Post Office Stores, in particular, out of business. Hence it is actually possible that a successful application might result in reduced employment within Hopeman.
3. The Appealant states "Given the current situation and the impact of Covid -19, employment opportunities now are more critical than ever." I must be getting my 'current news' from different sources then. My understanding is that there are endless opportunities for employment that cannot currently be filled, especially in the hospitality industry.
4. The Appealant states "The application site has an established use profile that includes petrol and car sales, both of which are roadside uses which attract vehicular traffic." That statement may well be true, but it has not been the case for several years and as a result the village is now used to that land not having regular vehicular traffic going into it. In addition, I am sure we can all agree that the volume of vehicular traffic using a Coop Store would be significantly higher than anything seen previously, not to mention the vehicular traffic that would be associated with the housing.

Given the short timescale for further comment on this proposed development, can you explain why when trying to access "18 Feb 2021 – Amended Drawing - Proposed Site Plan: Refused" I received the message "Document Unavailable". How do we now find out exactly what the proposed site plan is?

Regards
[redacted]

Lissa Rowan

From: [redacted]
Sent: 08 July 2021 18:11
To: Lissa Rowan
Subject: Re: Notice of Review: Planning Application 20/00474/APP

Warning. This email contains web links and originates from outside of the Moray Council network.
You should only click on these links if you are certain that the email is genuine and the content is safe.

Dear Lissa,

Thank you for informing me about Springfields decision to appeal the original refusal of their application.

Having looked quickly through the supporting statement, it remains the case that Springfield are continuing to blatantly lie in an attempt to force through this application.

In the statement, they state that the drainage scheme application included this current proposal. It did not. As a principle member of the Hopeman Flood Action Group, directly affected by the flooding caused by the landowner in 2014, I have been minutely involved in everything that Springfield proposed, forced through and subsequently failed to abide by the conditions set for this drainage scheme. To date, the drainage scheme is still not complete, nor is it maintained in any way, shape or form.

The supporting statement also says that the boundary wall which belongs to me (and my neighbours) is to remain and it now states that the adjacent hedge is also to remain. This contradicts their final landscaping plan which stated that the hedge was to be removed and a six feet high wooden fence was to be erected, together with an 8 feet high metal security fence directly overlooking my property. What do I believe? If the decision is overturned, I have absolutely no doubt that this developer will revert to their last landscape plan and destroy the hedge and leave my wife and I with an unsightly, inappropriate fence surrounding a major health and safety hazard.

The flats are constantly referred to in the statement as affordable housing. This is not what they stated in their application. These flats are for private sale, no doubt to the highest bidder. Their 22 houses further along Forsyth Street (which WERE put through as affordable housing) were NOT approved by the Moray Council. The councils decision was over-ruled by Holyrood and yet by the contents of this statement, Springfield are trying to make it sound that Moray Council are contradicting themselves which is again, not true.

[redacted]

Kind regards,

[redacted]

From: Lissa Rowan <Lissa.Rowan@moray.gov.uk>
Date: Thursday, 08 July 2021 at 16:41
To: <undisclosed-recipients:;>
Subject: Notice of Review: Planning Application 20/00474/APP

Good afternoon

Please find attached correspondence in relation to the above Notice of Review.

Kind regards

Lissa

Lissa Rowan| Committee Services Officer | Governance, Strategy and Performance Services

lissa.rowan@moray.gov.uk | website | facebook | twitter | newsdesk

07765 741754
01343 563015 ***Please note I am working from home until further notice and cannot be contacted via this number****

Lissa Rowan

From: [redacted]
Sent: 23 July 2021 08:05
To: Lissa Rowan
Subject: Re: Notice of Review: Planning Application 20/00474/APP

Warning. This email contains web links and originates from outside of the Moray Council network.
You should only click on these links if you are certain that the email is genuine and the content is safe.

Dear Mrs Rowan,

Thankyou for letting me know that an appeal against refusal of planning has been lodged. I acknowledge that my original objections will be taken into account during the appeals process. With reference to the Document "Refusal of Planning Permission Appeal Statement June 2021" submitted by Mrs Mungall of Springfield Real Estate Management Ltd, I wish to reinforce my original objections as follows:

Section 2.1

I believe that Moray Council has cleary laid out its reasons for refusal. The introduction of non-compliant uses, the lack of requirement for additional housing land in Hopeman and a potential loss of employment and employment land in Hopeman.

I do not believe that Mrs Mungall provides sufficient evidence to counter the refusal. She states that precedent shows that this area is unlikely to thrive if developed solely for business use but does not provide details as to what set the precedent.

A lack of attention to detail ie misspelling of Cummingston indicates a complete lack of local knowledge, which completely discredits any other detailed comments she makes about the local area, roads, infrastructure, transport, the population and its needs. She goes on to state that the retail element is a small footprint. When compared with the current businesses in Hopeman it is not. It is a large footprint which could threaten the viability of business on the "right side of the road".

The retail unit does not provide a safe accessible offer by foot or cycle for villagers as they have to cross a busy road to get to it. Neither does it offer a greener solution because for most residents the distances to the current retail outlets is less than that to the proposed one. For example I would have to walk/drive/cycle past Hopeman General Store and Post Office, Chemist, Butcher and Cost Cutter to get the proposed Coop.

I do not believe that the retail outlet will provide " substantial employment opportunities". Furthermore, if employees are not from the village they will drive to work which undermines the "green" case. They will also take up parking slots which will give customers the excuse to park on the main road leading to congestion in a busy area.

Finally, as stated by the Council there is no requirement for 8 flats in that location when there are better sites elsewhere which already have planning permission.

Section 2.2

I believe that the proposed development will adversely impact the character and viability of Hopeman.

It is claimed the the site is easily accessible by pedestrian and cycle routes and by bus. It is not - pedestrians, cyclists and those bus passengers heading towards Lossiemouth would have to cross the busy main road close to a very busy T-Junction with Harbour Street - this reduces safety.

Mrs Mungall states that the retail unit will provide amenities not currently available in Hopeman. What amenities will a small Coop provide in a village that already has a thriving General Store with Post Office, Cost Cutter, Chemist, Butcher, Florist, Gift Shop, 2 Coffee Shops, Fish and Chip Shop and Chinese Takeaway which are all situated in the heart ("Town Centre"?) of the village?

All of these amenities can be reached by the vast majority of village residents on foot or by cycle without having to cross the busy main road. I suggest that a Coop is more likely to threaten the vitality and viability of the village which already has a thriving centre that caters for most needs short of a large weekly shop for which villagers will continue to drive to Lossiemouth, Elgin or Forres.

The paragraph on material palettes is misleading and should be discounted. The wooden hut is situated in the Harbour area approx 0.5 miles from the proposed development and is completely in keeping with its surroundings. The blue fisherman's hut in Duff Street is also in keeping with its surroundings and is also 0.5 mile from the proposed development.

Section 2.3

The Council refused permission on the grounds that the frontage of the retail unit would not be in keeping with the general architecture of the village.

I agree with the Council. All of the other retail units in Hopeman are located in buildings which form part of the fabric of the village and have done for many years. The exception would be Tulloch's HQ next door to the proposed development but that is set well back from the road with parking to the rear and its outline is broken up by trees and shrubs. Whereas the proposed development will be roadside, clearly retail and will have cars parked in front of it. Far from fitting into the village it will not even fit into the frontages on that side of the main road.

Section 2.4

Moray Council refused planning consent for road safety reasons.

I strongly agree with the Council. The main road is already very busy with mixed traffic and school buses in the mornings and afternoons. The site is too close to the bus stops and the T-Junction with Harbour Street. The installation of 2 almost adjacent pedestrian/cycle crossings from the main village to the retail outlet will add significantly to congestion and significantly heighten the risk of accidents.

Motorists wishing to use the retail unit will not attempt to park in the spaces provided to the side and rear of the unit as access is tight and the car park is likely to be congested at peak times which will cause them delay. They are more likely to park on the main road or illegally in the bus stops thereby causing more congestion and further increasing the risk of accidents close to an already busy junction.

While small and mid-size delivery vehicles may be able to access the retail unit from the side and rear, the larger often articulated vehicles which the Coop often use will not. They will stop on the main road where they will cause further congestion and risk of accident by creating blind spots for pedestrians and motorists.

I am also very concerned that emergency vehicles may not be able to gain access to the rear of the retail unit or housing due to congestion in the car park and lack of vehicular access to the sides and rear of the flats. We had a serious fire in the middle village 2 years ago with a house gutted and one fatality. The village layout was planned in the late 1800s - access for emergency services will remain challenging. We do not need to "design in" the same issues in another part of the village in 2021.

Section 2.5

I am not an expert of flood prevention but there has been considerable flash flooding along the main road either side of the Harbour Street T-Junction in the past. I believe this occurred on the same days that Elgin was severely flooded by sudden intense rainfall earlier this century. While probability of flash flooding remains low for now, the increasingly unreliable weather patterns we are witnessing due to climate change are likely to increase the probability of an event. Regardless of how often a flooding event occurs, the impact on the top-end of the village will be high. Therefore, if the proposed drainage scheme is not sufficiently robust in the view of the Council's experts I concur with their refusal to grant planning permission.

Section 2.6

Insufficient parking of required standard provided.

I admire Mrs Mungall's attempts to wish this issue away by quoting various regulations and guidance. I am amused by the Coop's definition of the store as one at a remote location.

The Coop want to build this store because it is on a main route used by commuters between Lossiemouth and Forres and beyond both of those towns and from the coast road via duffs to Elgin. They need to attract through traffic to make their business model work. Unfortunately, this will cause significant congestion, particularly at peak time.

Regardless of the number of parking slots provided to the side and rear, drivers will still have to turn off the main road to use them. Another junction close to the Harbour Street T-junction next to 2 bus stops and 2 proposed cycle/pedestrian crossings is a recipe for congestion, frustration and accidents.

Congestion on the main road may also encourage use of " rat routes" through the village where the roads are extremely narrow and partially obstructed by parked cars. This could lead to congestion and increased risk of accidents at junctions within the village. One of those routes (using Cooper St, Harbour St, McPherson St and School Rd) passes the primary school.

Section 2.7

Other than provision of EV charging points for residents of the flats, which I think should be 2/flat, what would be the point of putting EV chargers in short-term parking slots for a convenience store where the overall parking stay is likely to be less than 30 min? Unless of course every slot is provided with an extremely fast charger which can provide a major boost to battery level in a short space of time. This might be prohibitively expensive for Springfield/Coop but if the price point is correct it may entice people with EVs to use the parking slots rather than clog up the main road.

However, I believe that the convenience of parking on the main road against the inconvenience of using the car park will far outweigh the attractiveness of a quick charge on a short commute where the vehicle has either been charged at home or is about to be charged at work. While home and work charging may take longer, time is available to do it and it is also likely to be much cheaper.

Conclusion

In sum, my comments referenced against Springfields's comments appealing the Council's reasons for refusing planning permission reinforce my original objections which still stand.

I do not believe that the provision of a retail and residential unit in the proposed location will add any value or vitality to the village of Hopeman which already has a vibrant focal point of accessible, well established retail outlets on Harbour Street which cater for the vast majority of short-term needs. Neither does it contribute to the green agenda, indeed it may even increase the risk of flooding. It may also be difficult for emergency services to access the flats. Rather this development is much more likely to detract from village life by increasing the risk of flash flooding in the south of the village and by increasing congestion and therefore the risk of accidents involving vehicles, cyclists and pedestrians on a busy main road close to a major T-junction and perhaps in other parts of the village too.

I would be grateful if you could acknowledge receipt of this e-mail.

Regards

[redacted]

[redacted]

[redacted]

ENVIRONMENTAL SERVICES
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Senior Engineer

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email: diane.anderson@moray.gov.uk
Website: www.moray.gov.uk

Our reference: LR/LRB261
Your reference: LR261

Chief Legal Officer
Per Ms L Rowan
Committee Services
The Moray Council
High Street
ELGIN
IV30 1BX

23 July 2021

Dear Madam

TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

REQUEST FOR REVIEW: PLANNING APPLICATION 20/00474/APP DEMOLISH EXISTING SERVICE STATION AND GARAGE ERECT RETAIL UNIT LIGHT INDUSTRIAL UNIT AND 2NO BLOCKS OF RESIDENTIAL FLATS AT HOPEMAN SERVICE STATION FORSYTH STREET HOPEMAN

I refer to your letter dated 8th July 2021.

I respond on behalf of the Transportation Manager with respect to our observations on the applicant's grounds for seeking a review of the planning authority's decision to refuse the above planning application.

Transportation has reviewed the appellant's grounds for review and the associated documents, and submits the attached representation with associated documents in response.

Yours faithfully

[redacted]

Diane Anderson
Senior Engineer

Local Review
LRB Ref 261
Planning Application Reference 20/00474/APP Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman

Response from Transportation, Moray Council

1. This document is in response to the Notice of Review and the Statement of Case submitted by Springfield Real Estate Management Ltd and sets out observations by Transportation on the application and the grounds for seeking a review.

2. This review concerns planning application 20/00474/APP to Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman

3. Transportation received the consultation for planning application 20/00474/APP on 12th May 2020. A copy of Transportations consultation response dated 12th March 2021 is attached (TMC 01).

4. The Decision Notice for planning application 20/00474/APP includes seven reasons for refusal on the Schedule of Reasons. This Transportation response addresses and provides a response to the Appellant's Statement of Case in relation to reasons 4, 5, 6 and 7 only. Reasons 1, 2 and 3 relate to Planning matters.

5. The four reasons for refusal associated with Transportation matters are:

   - The application has failed to demonstrate satisfactory arrangements in relation to access for vehicles or pedestrians, access visibility, access to public transport, suitable crossing to the site or adequate servicing arrangements for any part of the development giving rise to conditions that would be detrimental to road safety contrary to policies PP3 (a) (iii) and DP1(ii) (a c).
   - The application has failed to demonstrate that drainage from the proposed retail service bay can be dealt with in an acceptable manner contrary to policies DP1 and EP12.
   - The application has failed to provide parking bays of sufficient size or number to comply with Moray Council parking standards contrary to policy DP1 (ii) (e).
   - The application has failed to provide adequate provision of Electric Vehicle Charging contrary to policy PP3 (a) (iv).

6. The Appellant's Statement of Case is predicated on the basis that as the planning application was validated prior to the adoption of the Moray Local Development Plan 2020 (MLDP2020), the application should have been determined against the policies set out in the Moray Local Development Plan 2015 (MLPD2015).

7. Transportation officers were advised on 23 July 2020 that the MLDP2020 was the statutory Local Development Plan as of 27th July 2020, meaning that all

consultation responses would be based on the policies and guidance within that document. Therefore this response addresses the points raised by the appellant in their Statement of Case against the MLDP2020 policies and guidance and leaves any comment on the use of the MLDP2015 as a matter for the LRB Planning Advisor.

8. The Appellant's Statement of Case states that for Reason 4 that all the necessary information has been submitted in relation to access for vehicles, access for pedestrians, access visibility, access to public transport, pedestrian crossing and servicing arrangements. Whilst information has been submitted as part of the planning application, the specific issues raised by Transportation have not been addressed. These issues are:

Access for vehicles

9. The details submitted do not demonstrate a safe means of access. The Road Safety Audit process was not completed in consultation with the Overseeing Organisations representatives The changes proposed by the applicant do not accord with the recommendations made by the Road Safety Auditor and a designer's response to the audit has not been agreed with the Overseeing Organisation.

10. Additional road safety issues identified by officers including visibility constraints from boundary walls and planting on land out with the applicants control to the east of the site have not been taken account of, and the changes necessary to the proposal to achieve a safe arrangement are likely to have a material impact on the proposed layout or parking numbers.

Access for Pedestrians

11. Whilst the proposals shown on Drawing L003 Rev J which include informal crossings of the B9040 and would not provide facilities to prioritise pedestrian access at this location where there is likely to be a higher demand. The identification of crossing locations are not supported by evidence of an assessment of the likely desire lines and the implications of this have not been reassessed by the Road Safety Auditor

12. The Road Safety Audit identified that access to the 4 parking bays associated with the smaller commercial unit could potentially create a risk of collisions between pedestrians and manoeuvring vehicles. The audit recommended that the footway be relocated behind the spaces and the spaces take direct access onto the road. The current proposals shown on drawing L003 Rev J demonstrate that the Appellant has not taken account of the Road Safety Audit recommendation.

Visibility

13. Drawing L003 Rev J does not demonstrate that appropriate visibility splays are provided for vehicles exiting the smaller commercial unit parking spaces which take access over the footway onto the B9040. Transportation consider this to be a safety issue due to the adjacent boundary wall and planting on third party land to the east of the site which would obscure visibility (Photo T001 and T001 in Appendix TMC 02 Site Photographs). The risk from vehicles reversing out across the footway and onto the B9040 in particular is considered to be a significant safety issue by Transportation and also the Road Safety Auditor. The proposed mitigation for this has not been reassessed by the Road Safety Auditor.

14. Drawing L003 Rev J illustrates that the visibility splay to the west of the site access would be within the delivery/loading area. There is a potential risk that visibility to the west would be obstructed by any large vehicles parked in this area. Whilst not raised in the Road Safety Audit the inclusion of this in any reassessment of the revised proposals is something which is likely to be sought by Transportation. This issue could be addressed by servicing the development from within the site as recommended.

Access to Public Transport.

15. The Appellants Road Safety Audit identifies in Section 3.3 that there are currently no direct footway connection to either of the westbound bus stops (Photographs T003 and T004 in Appendix TMC 02 Site Photographs) and that the absence of provision could result in pedestrians walling on the carriageway or on the grass verge, risking being struck by a vehicle or risking trip and fall accidents. The Road Safety Audit advises that Moray Council have plans to construct a footway to the west of the development adjacent to the B9040 and that the applicant should discuss this with Moray Council and co-ordinate with these proposals. The Appellant has not discussed this with Transportation and no provision is made within the proposals for direct connections along the south side of the B9040 to either of the westbound bus. The proposals submitted would not address the Road Safety Audit issues identified.

Pedestrian Crossing

16. Transportation comments on ‘Pedestrian Crossing’ are covered in the response to ‘Pedestrian Access’ above.

Servicing Arrangements

17. The Appellants Statement of Case is supported by submission of the Transport Statement and swept paths contained in Appendix B, however the recommendation from Transportation is based on the revised site layout L003 Rev J and swept path assessment for refuse collection vehicles shown on Drawing 1002 Rev A dated 25/01/21 which is not included in the Appellants supporting documents.

18. Transportation do not contest the fact that swept path analysis have been submitted, but consider the proposed layout to be unacceptable in road safety terms due to the design of the parking bays and the safety margins for manoeuvring vehicles. The swept path analysis is based on a parking layout with parking spaces below the Moray Council standard and which measure 4.8m long instead of 5m and 2.4m wide instead of 2.5m. The swept path clearly demonstrates that a refuse vehicle would have no margin for error turning within the car park without accounting for the undersized bays. There is a potential that vans or larger cars parked in these spaces could overhang into the parking aisle resulting in a refuse vehicle not being able to turn within the space provided.

19. Reason 5 relates to the drainage provision for the proposed service lay-by on the Forsyth Street frontage of the site. SEPA mapping shows surface water flooding in the vicinity of the site. Transportation sought to ensure that appropriate surface water management was provided, particularly as the proposed servicing layby is parallel to the public road and therefore would be adopted by the Roads Authority

20. The reasons for objection within the Transportation consultation response to the drainage proposals of the proposed delivery/loading area were made on the basis of Moray Council Local Development Plan 2020 Policy PP3 a(viii) with respect to Road Drainage and not in terms of Policies DP1 and EP12 as referred to by the Appellant Statement of Case and the Decision Notice from the Planning Authority.

21. The proposals submitted which included both Drawing 10045-C-201 Rev C indicating no provision of road drainage and Drawing 10045-C-201 Rev D submitted separately within the Drainage Assessment which indicated provision of a channel drain extending the full length of the service layby. Both proposals are considered to be potential road safety issues with Revision C providing no drainage which could result in water being discharged onto the public road, and Revision D proposing to construct a channel drain between the edge of the loading/service bay and the carriageway which could be a potential safety issue to road users.

22. Reason 6 of the Appellant's Statement of Case relates to parking. It states in paragraph 2.6.1 that Building Standards state that 2.4m x 4.8m is accepted as a standard sized parking bay.

23. Moray Council Parking Standards August 2011 states that the minimum parking space dimensions should be 2.5m by 5m. The National Roads Development Guide 2017 recommends preferred parking bay dimensions of 5.5 metres by 2.9 metres and states that parking bays of 5.0m by 2.5m are desirable. It further states that bay sizes smaller than the minimum stated will not be considered a usable parking space. Moray Council variations to the National Road Development Road Guide also state that the Desirable bay size = Minimum space dimensions.

24. For the proposed development, the minimum size of parking bay used for the proposals needs to also be considered alongside the proposed servicing arrangements and the lack of any margin of error allowed for in terms of vehicle manoeuvring. The proposed parking bay dimensions of 4.8m by 2.4m increase the risk that the refuse collection vehicle manoeuvres may not be possible or would result in an increased safety risk.

25. Whilst the Appellant has used parking rates taken from the superseded 2011 Parking Standards, Transportation have assessed the proposals against the current Moray Local Development Plan 2020 parking standards. The 4000sqft (371sqm) retail parking requirements is assessed based on a rate of 6 spaces per 100sqm which equates to 22 spaces. The use of minimum parking rates is no longer practiced however it is generally accepted practice that rates provided are considered to be minimums and maximums unless a reduction in the parking rate is supported and evidenced by an assessment to demonstrate that development will not have a negative impact on road safety or amenity. Reductions in rates are more likely to be appropriate in locations such as town centres with good accessibility to alternative forms of transport and existing car parking facilities. This is also noted in parking standards which are provided within Part 3 of the National Road Development Guidelines. The location of the development is not considered appropriate for a reduced parking rate as it is on the edge of a smaller settlement adjacent to a key road which is likely to attract a considerable number of pass-by trips from traffic on the B9040.

26. The proposed shared use of residential parking spaces is not considered acceptable as suggested by the Appellant. No assessment has been undertaken to support the claim that residential parking spaces will be vacant and available for use and this could obstruct residents from access to the electric vehicle (EV) charging facilities which should be exclusively available for the residents use.

27. The Appellant Statement of case incorrectly states the current residential parking requirements for flats. The 2011 standards required 1.5 spaces per flat however the Moray Local Development Plan 2020 standard requires 2 spaces per 2-3 bed flat and 1 visitor space per 4 flats. The parking requirement based on the MLDP 2020 equates to 16 spaces plus 2 visitor spaces. The proposals indicate 17 spaces and 1 disabled space. Irrespective of this, Transportation have not objected to the proposed residential parking numbers but did object to the dimensions of the parking spaces which do not meet the minimum requirements and which could impact on the viability of the parking provision.

28. The final Reason for Refusal on the Schedule of Reasons, Reason 7, relates to the lack of provision and information associated with Electric Vehicle Charging Infrastructure for the proposed development. The Appellant states that *they '… consider it to be completely unrealistic to ask a client to provide a full detailed design of EV charge points and cable locations at planning stage'.*

29. The level of information sought by Transportation is not considered to be over onerous and has readily been provided as part of other planning applications since the adoption of the MLDP 2020. Transportation do not seek the detailed design of EV infrastructure at planning stage but do require the locations where charging points are intended to be installed to demonstrate they would be accessible to vehicles (within a maximum 5m cable length) and will not result in a safety hazard as a result of the cable connection from the charge point to the vehicle, the power output of the charger for each location to demonstrate it will meets the minimum specification required in terms i.e. Fast (7.2Kw min) or Rapid (22Kw min) and the indicative location where each charger would be connected to a mains supply i.e. a cabinet or within a property to ensure provision is made for any street furniture required to accommodate this. Transportation's objection to the proposals was made on the basis that the specification provided was for a single charger type with a maximum output of 7.2Kw (Fast) which would not satisfy the minimum 22Kw (Rapid) type charger requirement associated with the Retail unit and also that no provision for EV charging was indicated for the smaller commercial/industrial unit.

30. The Appellant's Statement of Case reiterates information provided as part of the planning application which has already been highlighted as being insufficient and not addressing the road safety concerns raised by Transportation, nor fully addressing the points raised in the independent Road Safety Audit. The lack of sufficient parking provision within the site, both the size of and number of parking bays and concerns raised regarding the ability to safely service the residential and industrial units, may lead to indiscriminate on-street parking and servicing on Forsyth Street which could have an adverse impact on the safety and operation of the public road.

31. Transportation, respectfully, requests the MLRB to uphold the decision by the appointed officer. In particular on the grounds that policy DP1 'Development Principles' section (ii)- 'Transportation', part 'a)' (safe entry and exit) and part 'e)' (parking provision) etc.

Transportation
23 July 2021

Documents
TMC01 Transportation Consultation Response dated 12th March 2021
TMC02 Site Photographs

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	26th May 2020
Planning Authority Reference	20/00474/APP
Nature of Proposal (Description)	Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at
Site	Hopeman Service Station Forsyth Street Hopeman Elgin Moray IV30 5ST
Site Postcode	N/A
Site Gazetteer UPRN	000133039156
Proposal Location Easting	314730
Proposal Location Northing	869268
Area of application site (M^2)	6700
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=Q8GH1ZBGKYV00
Previous Application	16/01799/APP 95/00498/FUL 89/00952/ADV
Date of Consultation	12th May 2020
Is this a re-consultation of an existing application?	No
Applicant Name	SREM/ CO-OP
Applicant Organisation Name	
Applicant Address	4 Rutland Square Edinburgh GB EH1 2AS
Agent Name	Springfield Real Estate Management Ltd
Agent Organisation Name	
Agent Address	4 Rutland Square Edinburgh Scotland EH1 2AS
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479

Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.
For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 20/00474/APP
Demolish existing service station and garage erect retail unit light industrial unit and 2no blocks of residential flats at Hopeman Service Station Forsyth Street Hopeman Elgin for SREM/ CO-OP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	X
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	❑
(d)	Further information is required in order to consider the application as set out below	❑

Preamble

This proposal is to demolish an existing vehicle service station and garage and the erection of a retail unit, light industrial/commercial unit and 2no blocks of residential flats (8 flats). The following response is based on Site Layout L003 Rev J.

Reason(s) for objection

- **Road Safety** - Proposals do not make adequate provision for site servicing, priority and safety of non-vehicular road users. Site access visibility, access to public transport and the proposed crossing locations raise potential road safety issues which are not adequately mitigated. **MLDP 2020 - PP3 a(iii, vi), DP1 ii(a, c)**
- **Servicing** – Site servicing provision and assessment is not acceptable. **MLDP 2020 – DP1 ii(a,c)**
- **Drainage** – Drainage details for the proposed service layby are not acceptable **MLDP 2020 - PP3 a(viii)**
- **Parking** – Parking space dimensions are less than the quantity of parking required is not provided in accordance with requirements of the current Planning Policy and Supplementary Guidance **MLDP 2020 - PP3 a(i), DP1 ii(a)**
- **EV Charging –** Insufficient details **MLDP 2020 - PP3 a(iv)**

Road Safety
A Stage 1/2 combined Road Safety Audit has been submitted for the proposed development. The Audit was conducted without input from the Roads Authority. The Audit identifies a number of issues and recommendations. The designers response submitted in support of the planning application has not been provided to the overseeing organisation for input prior to its submission. A number of the recommendations made by the auditor have not been addressed within the

revised proposals including:

3.3 - TMC have plans for a footway to the west of the site. Should discuss this with MC and co-ordinate with their proposals. – The applicant has not demonstrated how the safety issue would be mitigated.

3.6 - It is recommended that the parking bays are moved directly adjacent to the carriageway with the footway behind. It is also recommended the crossing be relocated slightly east to allow space for a reversing car to not encroach onto the crossing point. – The proposed mitigation was not provided as recommended. - Notwithstanding this Transportation consider the proposed parking arrangements unacceptable as it is likely to result in vehicles reversing into the road and moving the spaces closer to the adjacent boundary reduces visibility and auditor recommended mitigation to be unlikely to be acceptable due to other considerations in terms of footway provision and visibility. The safety issue has not been mitigated satisfactorily. If parking most take direct access form the B9040 Transportation officers consider a lay-by type arrangement to be the preferred option.

Visibility for vehicles exiting the Starter/Commercial unit direct access spaces onto the B9040 has not been demonstrated and Transportation consider it to be a potential safety issue due to the adjacent boundary wall and planting which is outwith the applicants control. The risk from vehicles reversing out across the footway and onto the B9040 in particular is considered to be a significant safety issue by Transportation.

The footway between the retail unit and the servicing/delivery lay-by varies in width and at some points is less than 2 metres wide. Taking into consideration this is a new frontage and will need to accommodate pedestrian movements and deliveries, officers consider that this footway width should not be less than an absolute minimum of 2 metres wide.

No assessment has been undertaken of the likely desire lines for pedestrians accessing the site from Hopeman to the north in terms of the optimum crossing location. Officers consider it unlikely that users arriving from Harbour Street would choose to take an indirect route making two road crossings to the east of the site access and are therefore likely to cross at the west end of the service/delivery bay. Visibility from and of this crossing point is considered to be an issue by Transportation. This issue also needs to be considered with the Road Safety Audit point 3.7 and proposals to address access to local westbound bus stops.

The proposals are considered unacceptable as road safety issues identified have not been addressed and the proposed mitigation is unacceptable

Servicing
Commercial/Retail development should provide all loading and other servicing to be carried out on site. Frontage layby servicing should only be considered acceptable where there is no other viable alternative. This site is of an adequate size that it could accommodate dedicated servicing for the retail unit within the site given a different site layout.

Refuse collection for the proposed flats will require vehicles to turn within a private car park and perform a reversing manoeuvre. The proposed carpark layout has approx. 6m wide aisles but the parking spaces provided are 200mm less than the minimum size at just 4.8m long instead of 5m. The swept path shows the refuse vehicle would have no margin for error turning within the car park without accounting for the undersized bays. There is a potential that parked vans or larger cars could result in a refuse vehicle not being able to turn within the space provided. In addition the Moray Council policy for refuse collection seeks to avoid wherever possible the need to reverse the vehicle to turn due to the inherent safety risks.

Large vehicles parking in the delivery/servicing layby either delivering or as customers could obscure visibility for vehicles exiting the car park which is potential a road safety issue. Whilst visibility splay plans 006 and 007 submitted in support of the application have been drawn to

illustrate 43m visibility from the centreline of traffic approaching from the west for vehicles parked in the service layby it does not show these vehicles parked at the east end of the layby which would significantly reduce their visibility, neither does it consider the positioning of a motorcyclists closer to the centreline of the road. The proposed relocated lighting column close to the access could also have an impact on visibility at close proximity to the junction.

The proposals are considered unacceptable due to the potential safety issues and insufficient provision to accommodate refuse collection vehicles.

Drainage
Drainage drawing 10045-C-201 Rev C submitted in support of the development contains no drainage proposals for the service lay-by. The Drainage Impact Report refers to drainage drawing 10045-C-201 Rev D which indicates a channel drain extending the full length of the service layby adjacent to the B9040. Neither of these proposed arrangements would be acceptable to address drainage of the service layby. Both drainage drawings indicate the need for a wayleave over 3rd party land to the south to connect to the existing swale and attenuation basin but no details are provided to indicate that the 3rd parties would agree to this in principle or otherwise.

The proposals are considered unacceptable based on the proposed drainage design which is likely to be a road safety and maintenance issue.

Parking and Electric Vehicle (EV) Charging
National Road Development Guidelines stated a preferred parking bay size of 5.5m x 2.9m should be used. Moray Council would be willing to accept minimum parking space dimensions of 5.0m x 2.5m. The current parking spaces proposed are 4.8m x 2.4m and therefore the proposals are unacceptable.

22 Retail parking spaces are required. Site Layout plan L003 Rev J states 22 spaces are provided but only 18 are shown (including EV charging spaces but excluding 2 disabled spaces which are additional to the requirement) – Shortfall = 4 spaces). 2 EV charging spaces required (2 EV space for retail shown but no details for the charger location or type are provided), The EV specification submitted (ROLEC BASICCHARGE:EV WCS has a maximum output of 7.2KW which does not meet the Rapid Charger minimum specification (22Kw-43Kw). Rapid charger type is required). 3 Disabled spaces required (2 shown. Shortfall = 1 space). 3 Cycle Stands shown (Minimum 3 required).

The retail servicing/loading layby is shown adjacent to the B9040. Servicing should be provided within the site wherever possible to avoid conflict and safety issues for footway users. The proposals would increase risks to road users as a result of obstructions to the access visibility during delivery times.

16 Residential parking spaces are required (plus 2 visitor spaces) 18 spaces shown. 8 EV charging points shown but charger specification details not provided. Secure cycle parking required. 2 x cycle stores shown but no details provided, cycle storage needs to be covered, secure and provide space for 1 cycle per flat.

4 spaces are shown for the proposed 1200 sqft unit. Given the limited information provided Transportation officers have reviewed the proposals against the current 2020 MLDP Parking standards and consider that similar to warehousing or non-food retail a minimum of 4 spaces would be required including 2 disabled spaces. (Shortfall = 1 disabled space). The parking shown takes access over the footway and is likely to result in vehicles driving in to spaces and reversing onto the road. The adjacent boundary features to the east will impact on visibility of pedestrians and traffic and the provision is not considered acceptable.

Servicing for this unit will be required but no details are provided. It would not be appropriate for servicing to take place from the B9040. No EV charging provision is indicated (Subject to the provision of Rapid EV charging required associated with the neighbouring Retail a minimum

provision for 1 Fast EV charging point would be accepted in lieu of a Rapid Charger here. (Shortfall = 1 Fast EV charging Space).

The proposals are therefore unacceptable due to the shortfall in parking, the provision of parking bays which do not meet the minimum size requirements, road safety issues with the proposed parking layout in terms of refuse collection vehicle turning and use of and visibility issues for parking accessed over the footway from the B9040.

Additional Comments

The applicant has suggested that the shared use of the retail and residential parking would make a shortfall in the individual provisions acceptable. The Transportation Service accept where uses are compatible that can be the case however in this instance the peak periods of use are likely to overlap and that arrangement would not be considered acceptable.

Contact: JEK **Date……12/03/21……..**
email: transport.develop@moray.gov.uk **Phone No ……..**
Consultee: Transportation

Return response to	**consultation.planning@moray.gov.uk**

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://publicaccess.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Photograph T001 – View west towards the proposed site from eastern site boundary showing visibility obstruction on third party land.

Photograph T002 – View south showing eastern boundary at lighting column and vegetation on adjacent third party land.

Photograph T003 – View west at western site boundary and direct route to nearest westbound bus stop currently obstructed by existing development frontage.

Photograph T004 – Showing view west from westbound bus stop located to the east of the development and missing footway.

APPENDIX 4

APPLICANT'S RESPONSE TO FURTHER REPRESENTATIONS

SREM Limited

06th August 2021

FAO: Mrs Lissa Rowan
Democratic Services
Moray Council
Council Offices
High Street, Elgin,
IV30 1BX

10045 – Planning Application 20/00474/APP – Demolish existing service station and garage and erect retail unit, light industrial unit and 2no blocks of residential flats at Hopeman Service Station, Forsyth Street, Hopeman, Elgin

Dear Lissa

I am writing in response to your email received on 28th July 2021, Further Representations by way of response to our Notice of Review. Having carefully read the comments, I have compiled our response which is attached to this letter.

It is unfortunate that we are in this position and we are not able to reach an agreeable solution with Moray Council. Our intention was always to try and reach a negotiable outcome to satisfy all parties. Our client's main intention was to provide local employment opportunities and quality housing, to improve walking and cycle routes and create a sense of place in line with the aspirations set within the Scottish National Planning Framework 3 (NPF 3). The selection of a rundown and dilapidated brownfield site, was chosen as it has significant potential but is now at risk of lying dormant indefinitely as any other type of development will be unviable.

We are hopeful that our response is detailed and provides clear justification for many of the points raised. There is a significant concern that the application was not assessed under the correct procedures and most certainly disagree that any information submitted was done so under false pretence.

If you require any further information please do not hesitate to ask.

Kindest Regards,

Victoria Mungall
Head of Planning & Architecture
Tel: 07895 705 779
E: victoria@sremltd.co.uk

INTRODUCTION

This document has been prepared to address the comments received from Moray Council on 28th July 2021 following submission of a Notice of Review for Application 20/00474/APP Hopeman. The information contained within this response, and all previous communications with Moray Council is true and accurate to the best of our information.

As noted within our appeal. The application for this proposal was submitted on 08th April 2020. The refusal notice was issued 30th March 2021. This was almost 1 year after the initial submission. Moray Council took the decision the application should be assessed under delegated powers (despite the number of objections), and have subsequently taken the decision a Notice of Review is the most appropriate means of appeal.

As of the 27th July 2020 The Moray Local Development Plan was adopted superseding the 2016 LDP, 2 months after the expiry date for responding to our application. It is important to note that the principles on which the submission has been assessed were not current at that time. Our application and the number of parking spaces required were calculated on the 2016 standards, which were current and available at that time. Electric Charge points were implemented based on the information available on the MC website. Planning policies relating to the EV charge points within the 2020 plan were not available via the Moray Council website. The information relating to the new policies and standards were not communicated via email or by other means.

Further, in addition to the transport statement a Road Safety Audit was requested to which we provided a stage 1&2 report. Following receipt of the report, Moray Council raised several issues with the design, concerns over visibility, parking, pedestrian routes, and drainage, each point is expanded upon within this report. Following receipt of the report, and with some confusion over the points raised by MC our consultants tried to make contact with the Roads team and were advised to revert to email. Understandably the pandemic had an impact on all and implications of home working. In a bid to open discussion changes were made to the design, and submitted to MC along with the Road Safety Audit Response on 01st February 2021. In reference to Fig 1.1 below no response was received subsequently being advised by telephone the refusal notice was pending. In the event we had received a response, perhaps many of the issues could have been clarified/ justified and appropriately addressed.

RSA DECISION LOG					
RSA Problem		RSA Recommendation	Design Organisation Response	Overseeing Organisation Response	Agreed RSA Action
Number of problem from RSA REPORT	Insert problem from RSA REPORT	Insert recommendation from RSA report	Insert design organisation's response	Insert Overseeing Organisation's response	Insert design and Overseeing Organisation's agreed action
3.1	The absence of dropped kerbs and tactile paving could lead to pedestrians tripping and falling or being struck by vehicles.	It is recommended that dropped kerbs and tactile paving are provided at the crossing facilities.	Dropped kerb/ tactile paving shown on plans		
3.2	Absence of dropped kerbs at disabled parking bays.	It is recommended that dropped kerbs are provided adjacent to the disabled parking bays.	Dropped kerbs shown to disabled bays		
3.3	Absence of footway connections to westbound bus stops.	It is recommended that a direct footway connection is provided. TMC have plans for a footway to the west of the site. Should discuss this with MC and co-ordinate with their proposals.	Pedestrian crossing removed. Dropped kerbs & tactile paving indicated on layout.		

Figure 1.1 RSA Response Document

RESPONSE TO POINTS RAISED – PAGE 1

1. 2 EV spaces are not adequate

The standards require we provide 2 EV spaces. This is what we have provided. In addition to this we have also highlighted 8 potential EV charge point locations. Ref Drawing L-003 Rev J. The development could and would if required provide x10 EV spaces.

2. Concern the proposal would reduce employment within the town.

There is no evidence to suggest that this would be the case. We have provided a retail statement with a detailed breakdown of the job opportunities with this retailer. It is hypothetical that creating jobs would drive the other existing stores out of business. On Harbour Street the following businesses occupy retail style premises are:

- Costcutter
- Coffee Shop
- Fish and Chip Shop
- Butchers
- Ice Cream Shop
- Pharmacy
- Premier Store
- Chinese Takeaway
- Flower Shop

The application is for class 1 retail, which can be for a number of unspecified retail uses, arguably the proposed retail element is not of the same nature and not necessarily deemed a competitor. The only 2 shops that may see our client's development as competition are the Costcutter and the Premier Store. Planning is not here to protect specific businesses and competition can only be seen to be a good thing requiring the existing operators to "up their game". Also it is noted that the Premier Store opened relatively recently and after the Cost Cutter.

3. Conflict of opinion regarding current employment figures.

Firstly we are not proposing any build relating to 'hospitality' making this point completely irrelevant. Disregarding current figures and statistics the issue is the uncertainty over future employment. There are many studies and articles published but I would suggest the mckinskey report is most appropriate and can be found here:

https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-in-the-united-kingdom-assessing-jobs-at-risk-and-the-impact-on-people-and-places#

In summary, one of the main findings of the report was:

> *"Our forward-looking analysis of jobs at risk arrives at similar patterns. The retail and wholesale sector has the largest number of jobs at risk—1.7 million, or 22 percent of the total 7.6 million."*

The UK government anticipate a significant rise in unemployment rates beyond the end of the government furlough scheme. The refusal of any proposal which provides potential employment opportunities should be very carefully considered.

4. Conflicting opinion – volume of traffic previous garage use and proposed retail/ residential

If the site were to be developed solely for business use, the number of employees is unknown without knowing the nature of the business, as is the configuration of the site and parking numbers, which makes this argument hypothetical. Creating housing may actually contribute to a reduced volume of vehicular traffic during the working day. If the site were

to be reopened as a filling station site it would undoubtedly feature an element of convenience sales as is the norm. The traffic movement would also likely be higher than our clients proposal.

The responder is incorrect in who the applicant is. This is not an application by Springfield Homes. We, the agent act on behalf of our client(s) and have acted in an appropriate and professional manner throughout. All information has been provided to the best of our knowledge based on the information we have available.

Our client has paid for several independent reports at Moray Council's request from professionals within their field whom are legally bound to provide honest and accurate information.

Details of the wider drainage strategy were provided within the DIA with drawings clearly noted within the appendices. In terms of the Springfield scheme that the responder is referring to, how it has been implemented and maintained is completely irrelevant to this application. Moray Council have the authority to enforce action against any works that have not been carried out in accordance with the Statutory Approval and this application should not be held accountable for works carried out by another party within another site.

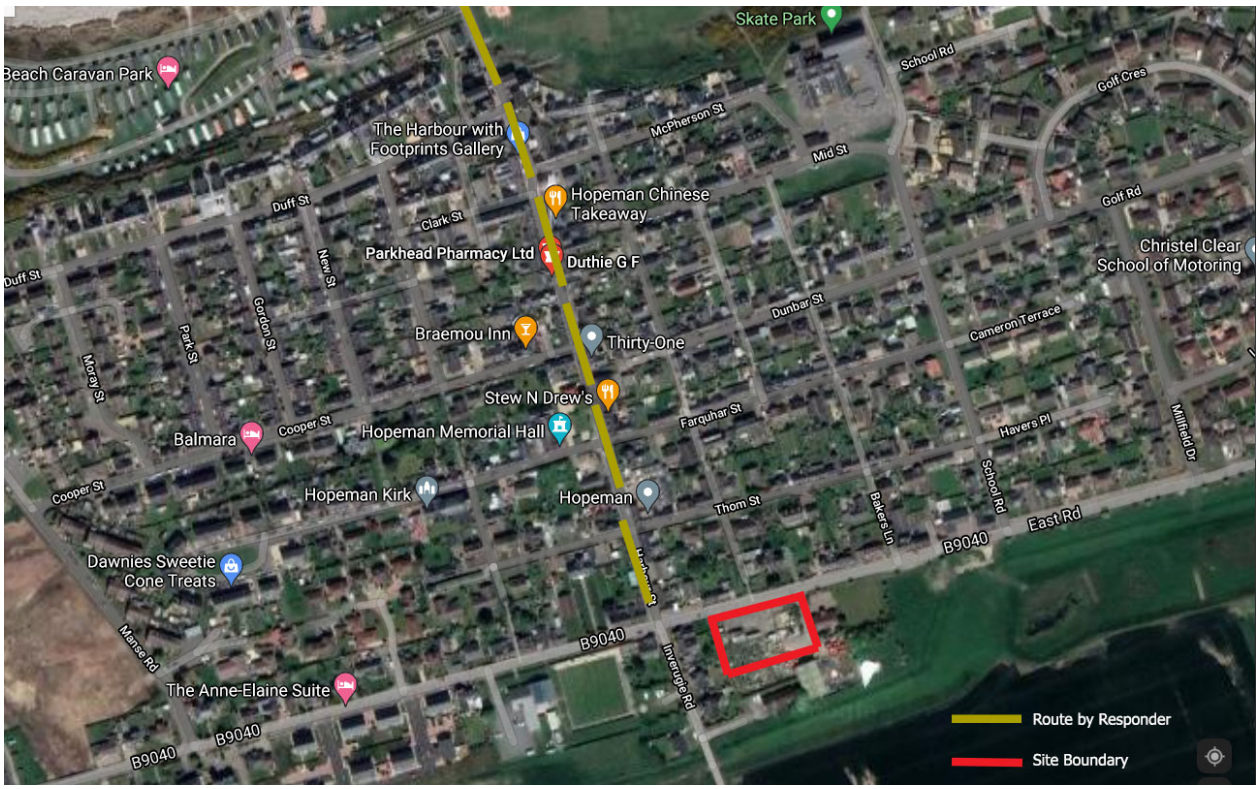
Our intention has always been to reduce any impact on the neighbouring properties. We had initially proposed the boundary treatments would remain as they are, however the addition of the 6ft fence along the boundary was a late request from the planning team. Several phone calls a few days prior to the refusal notice being issued, we were asked to make changes including the addition of timber fencing, and the addition of bird boxes. Unfairly, we have absolutely no intention of acting dishonestly and would have welcomed any meeting or discussion remotely or socially distanced to discuss. It was clear from the outset that any form of discussion with the planning team was unwelcome.

Reference email of 13th May 2020 regarding affordable housing in favour of a commuted sum, initially it was proposed 2 of the 8 flats would be affordable however MC responded to advise a commuted sum would be preferable. Our client's intention was always to provide what Moray Council required. There is a significant level of information within our appeal document in support of this application under Section 2.1.1 Scottish Planning Policy.

RESPONSE TO POINTS RAISED – PAGE 4-7

It is completely unreasonable to suggest that a very insignificant typo a very small element of human error should discredit the agent's lack of local knowledge and therefore make everything else discreditable.

It is not necessarily the case that every individual visiting the site would do so via Harbour Street which is what the responder appears to suggest. Only by taking this route would there be the possibility of passing all the amenities stated. Residents from either end of Hopeman would almost certainly take a different route.



There is no evidence to substantiate the responder's claims that employees may live out with the village and travel to work by car making the proposals less sustainable. Arguably, all employees may reside in Hopeman, they may travel to work by bus, and they may cycle to work, or run or walk. This is all hypothetical. Again, if the site had no retail element and was purely for business, there is no way of knowing the nature of the business, the number of the employees or parking numbers required.

The proposed crossing will offer a safe route for crossing in addition to the footpath on the proposed site side being reinstated and upgraded. There are many many valid clear points within the transport statement which suggests the proposals work very well and are in line with Scottish Government guidance for creating places.

> *"It is expected that the inclusion of external footway connections with Forsyth Street and introduction of a new crossing facility over the site access junction and Forsyth Street as part of the development will promote journeys on foot from the site and accommodate the expected uplift in pedestrian activity. It is therefore considered that the pedestrian generation calculated within the multimodal assessment will be exceeded, thereby reducing reliance on private car use for local trips."*

Section 2.3

In reference to the materials and the responder's claims this should be discounted because they are not immediately neighbouring the site is invalid. The material palette on Forsyth street is completely varied with a mixture of stone, render and timber. The precedents used were done so to evidence an exact match. A walk along Forsyth Street would be worthwhile to evidence that the material palettes used are visible on properties immediately adjacent.

The planning application was submitted to Moray Council 08th April 2020 a response was received on 05th May 2020 and in reference to the elevation of the retail unit we received the following comment:

> *"The design of the shop building could also be improved with greater interest on the street facing elevation."*

Amendments were made to the elevations and revised drawings resubmitted. No further comments were received, there was no opportunity for further discussion and nothing further raised prior to that noted within the refusal notice, which inferred that they were acceptable.

Section 2.4
The retail statement has strongly advised that the store within Hopeman and its location in comparison to other stores within similar locations namely Lhanbryde will most likely see the carpark underutilised. Most of the individuals visiting the store are likely to commute on bicycle or by foot.

The responder claims the 'car park is likely to be congested at peak times' this argument is completely contradictory to the primary argument that individuals will pass all other convenience stores on the way to the proposed site. The Primary School is located 0.3 miles away, There is no evidence to suggest the majority of people commuting during this time do so by car.

A swept path analysis has been prepared and submitted as part of our application. This clearly demonstrates adequate turning for emergency and refuse vehicles.

Section 2.6
As noted within our appeal. The parking provision provided was in line with the standards current at that time. The figures that we have been asked to meet were firstly not adopted at the time of submission and secondly not within the public realm available on the Moray Council website. Parking bays are shown smaller than MC's desired size in a bid to achieve the number requested. If we are to revert to the standards on which the proposal should have been assessed, the parking bays could be reduced and the desired bay dimensions easily achieved.

Section 2.7
There are no charge points proposed immediately outside the retail unit. This point is not valid.

RESPONSE TO TRANSPORTATION COMMENTS Page 8-25

As of the 27th July 2020 The Moray Local Development Plan was adopted superseding the 2016 LDP, 2 months after the expiry date for responding to our application. It is important to note that the principles on which the submission has been assessed were not current at that time and as a result, it is felt that the application has not been fairly assessed, with expectations exceeding the standards available.

The number of spaces required were calculated on the 2016 standards, which were current and available at that time. Electric Charge points were implemented based on the information available on the MC website. Planning policies relating to the EV charge points within the 2020 plan were not available via the Moray Council website. The information relating to the new policies and standards was not communicated via email or by other means.

Further, in addition to the transport statement a Road Safety Audit was requested to which we provided a stage 1&2 report, this was submitted 09th February 2021. On 16th March 2021 an email was received from the planning team with transportation response attached. We were advised within this email that these points would be added to the recommendation for refusal allowing no opportunity to resolve the points raised by transportation. It is critical to mention that between 09th February and 16th March, our consultants tried to make contact

with the Roads team and were advised to revert to email. Understandably the pandemic had an impact on all and implications of home working. In reference to Fig 1.1 below no response was received subsequently being advised by telephone the refusal notice was pending. In the event we had received a response, perhaps many of the issues could have been clarified/ justified and appropriately addressed.

> *"The Road Safety Audit process was not completed in consultation with the Overseeing Organisations representatives."*

Attempts were made to engage with Moray Council to discuss prior to submission of the Road Safety Audit and it was not welcomed. A second attempt was made following submission of the RSA and we were asked to submit everything in writing. A Road Safety Audit response was submitted on the 21st February responding to each point raised at that time, no further commentary was received, as would be standard practice. During the process deadlines set were always achieved, however, it is also important to note that the process was undertaken during the Covid-19 pandemic, a challenging time for everyone. We would have welcomed a meeting with Moray Council's transportation colleagues and an opportunity to discuss the proposals in more detail, certain that some of the issues could have been negated.

Access for Vehicles/ Road Safety Audit & Visibility

Please see comments above. Drummond Black Consulting Ltd advised that the correct procedures were followed. Only if a stage 3 report was requested would representatives from MC be invited to visit the site. The report was submitted and following receipt of comments from transportation on 16th March 2021, attempts were made to contact, discuss and clarify as it was strongly felt some of the points raised were unclear and perhaps some information misinterpreted.

Direct access from the B9040 is commonplace within the settlement boundary with numerous driveways taking accesses from the route only a short distance from the site. The parking spaces for the smaller commercial unit are located on a straight section of the B9040 with good visibility from both approaches ensuring that vehicles on the main road can react safely to vehicles manoeuvring from the aforementioned spaces. There is potential to relocate the bays as suggested however clarity was required over conflicting information.

The visibility splay for the primary access does go through the loading bay and the splay would be impeded on the very infrequent occasion that the delivery vehicle is on-site. The Co-Op vehicle would visit the site once a day and only be on-site for a maximum of 30mins. The delivery would be arranged to avoid busier store times, likely in the morning when the store would traditionally be quieter ensuring that the access junction is lightly trafficked.

Nevertheless, ECS drawing 20044_007 was submitted to the council which demonstrated that the required 2.4m x 43m visibility splay could still be achieved toward the west for oncoming traffic in the offside lane. This plan demonstrates that vehicles exiting the junction will still have a clear line of sight to all traffic streams on the B9040 with appropriate safe stopping distance.

Access for Pedestrians

Dropped kerb crossings have been introduced on the western boundary of the site and directly to the east of the vehicle access to the site. These crossings clearly address the desire lines from all available routes to / from the B9040 and this was outlined in submissions to the council. As such, the council's criticism with respect to consideration of the pedestrian desire lines is unfounded.

Parking for commercial unit – as MC had far exceeded the time to assess the application, we had hoped that a proper discussion with MC would have transpired prior to the approval/ refusal notice being issued to address our concerns. Unfortunately this was not the case.

Access to Public Transport
Dropped kerb crossing have been introduced on the site frontage which will enable pedestrians to best utilise the available footway infrastructure. A footway has been included on the full extent of the site frontage which ensures that connects can be made to the proposed footway to the east of the site once this is delivered by Moray Council. We would of course be more than happy to work with MC and ensure our proposal is coordinated with MC's proposals to construct a footpath to the West of the development.

Servicing Arrangements
As stated in previous submissions although the gross footprint is 371m2 there is a proportionately greater Back of House area of 139m2 leaving a retail floor area of 232m2. Applying the council's parking ratio to the sales area would only require a parking provision of 14 spaces we have applied additional spaces at the council's request to meet more onerous standards. If the 14 spaces were to be applied this would resolve the parking bay sizing that the council is unhappy to accept and it would also mean that the 4 bays attached to the industrial unit could be relocated to within the site removing the need for vehicles to reverse on to the B9040.

Drainage
We acknowledge that there is surface water flooding shown on the SEPA flood maps within the vicinity which does not include our development. As standard we have provided surface water treatment and attenuation for the surface water run-off within the development. A channel drain connecting into MH S1 was shown on the lay-by adjacent to Forsyth Street on drawing 10045-C-201 Rev D to provide the best way to capture all the surface water and direct it into the site drainage removing it from Forsyth Street. The Drainage Layout 10045-C-201 was then updated to Rev E to show the channel drain connecting into the porous paving car parking spaces to ensure it is treated prior to entering the surface water network.

Moray Council Local Development Plan 2020 Policy PP3 a(viii) states –

"Development must be planned and co-ordinated with infrastructure to ensure that places function properly and proposals are adequately served by infrastructure and services."

> *a)In relation to infrastructure and services developments will be required to provide the following as may be considered appropriate by the planning authority, unless these requirements are considered not to be necessary:*
>
> *viii) Foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS), including construction phase SUDS.*

The Drainage Layout 10045-C-201 Rev E shows foul and surface water drainage including SUDS for the development. We assume that a Construction Phase SUDS plan is not required prior to receiving Planning, we would expect this to be a condition if required.

Generally we would not include separate drainage for a single lay-by and would have considered allowing it to crossfall onto the public road would have been adequate as per Rev C. However Drawing 10045-C-201 was up-dated to provide drainage for the surface water run-off from the lay-by. 3 options were considered (a) Porous Paving (b) Gullies (c) Channel Drain. Porous paving was ruled out as Moray Council would not adopt this type of surfacing. Gullies were also considered however it was concluded a channel drain provided the best option to capture more of the surface water run-off. If Moray Council would prefer

one of these others options or any other alternatives we are happy to enter a dialogue and up-date our design drawing.

In addition we can see no reason why a correctly installed Aco channel drain could be a potential safety issue to road users given that it is flush with the road.

Parking Numbers
We would reiterate again, that the parking no's have been unfairly assessed based on a LDP that had not at the time been adopted, nor was the information on the 2020 standards available to us to allow us to design to these standards. Please also refer to comment above under servicing arrangements.

SREM Limited. 4 Rutland Square, Edinburgh, EH1 2AS
Telephone: 0131 541 0133
Email: victoria@sremltd.co.uk

MORAY LOCAL REVIEW BODY

26 AUGUST 2021

SUMMARY OF INFORMATION FOR CASE No LR259

Planning Application 20/01658/APP – Erect 1.25 Storey Dwelling House and Detached Timber Garage at Site South-West of Sourbank Farm, Rafford, Forres

Ward 8 – Forres

Planning permission was refused under the Statutory Scheme of Delegation by the Appointed Officer on 30 April 2021 on the grounds that:

The development is contrary to Policy DP4: Rural Housing and DP1: Development Principles of the Moray Local Development Plan 2020 for the following reasons:

1. The introduction of a new house in the identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as negatively impacting on the character and appearance of this rural area.

2. There is not an acceptable level of enclosure and containment for a new house.

3. Together with other development in the immediate vicinity it would have the effect of detrimentally altering the rural character of the area contributing an unacceptable build-up of housing.

4. It will contribute to a sequential visual effect of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site in terms of its siting, particularly in relation to existing new houses in the area

5. There is no policy exception to allow new housing in Pressurised and Sensitive areas on the basis of agricultural need and the supporting information provided is not considered sufficient to outweigh the Local Development Plan policies.

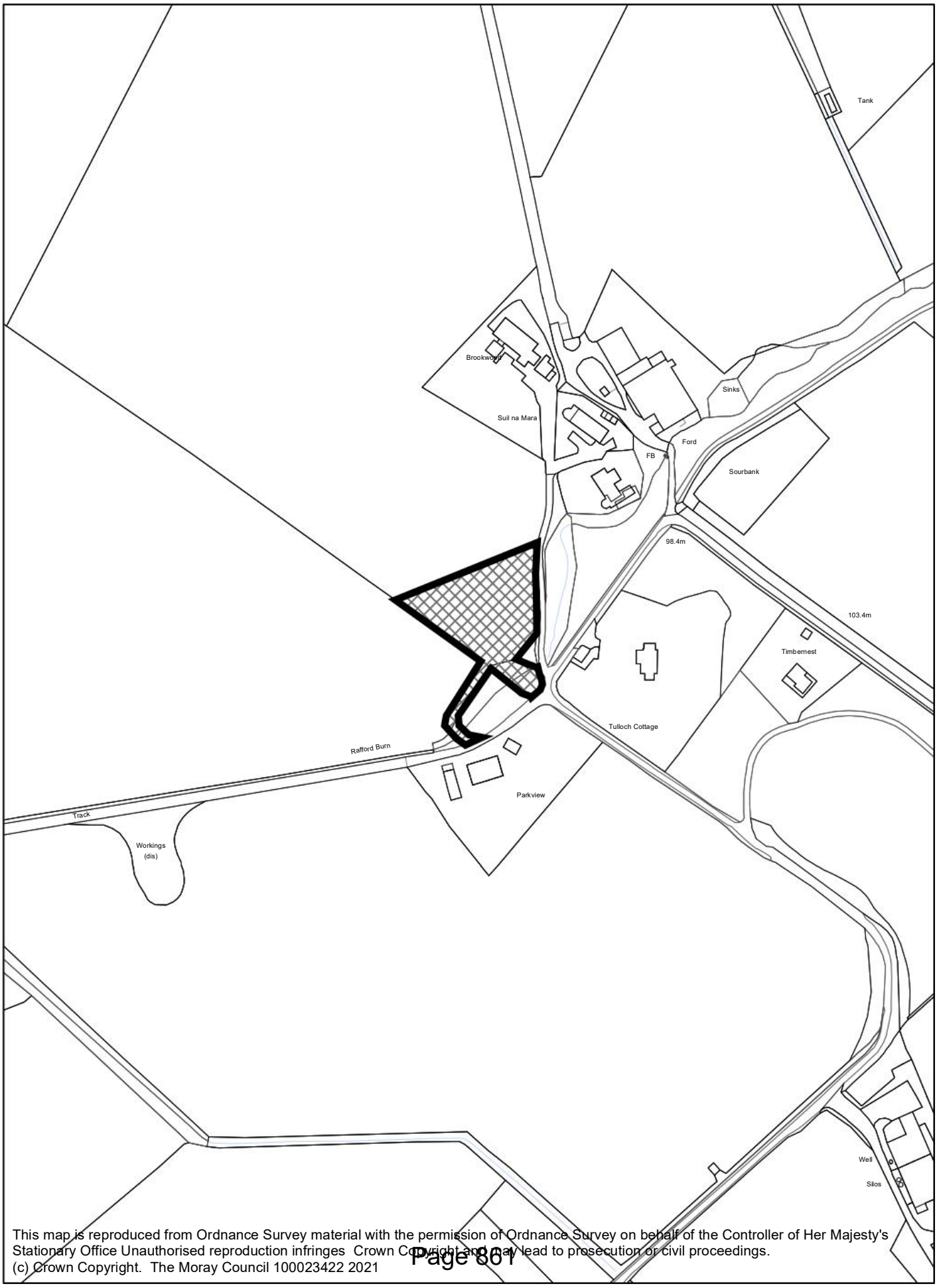
Documents considered or prepared by the Appointed Officer in respect of the above planning application are attached as **Appendix 1**.

The Notice of the Review, Grounds for Review and any supporting documents submitted by the Applicant are attached as **Appendix 2**.

Further Representations received in response to the Notice of Review are attached as **Appendix 3.**

The Applicant's response to the Further Representations is attached as **Appendix 4.**

Location plan for Planning Application Reference Number : 20/01658/APP



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APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100337075-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☒ Application for planning permission (including changes of use and surface mineral working).

☐ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

This is a resubmission of a withdrawn Planning Application 19/01599/App to Erect a 1.25 storey dwelling house and detached timber garage in the corner of a field.The previous application was withdrawn in late March 2020.

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	PM Designs		
Ref. Number:	GRP-09-19	You must enter a Building Name or Number, or both: *	
First Name: *	Peter	Building Name:	Sonas
Last Name: *	Mitchell	Building Number:	
Telephone Number: *	01343 890273	Address 1 (Street): *	Todholes
Extension Number:		Address 2:	Dallas
Mobile Number:	07881 462217	Town/City: *	Forres
Fax Number:		Country: *	United Kingdom
		Postcode: *	IV36 2RW
Email Address: *	pm.designs@btinternet.com		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Balnageith Farm
First Name: *	Graeme	Building Number:	
Last Name: *	Proctor	Address 1 (Street): *	Balnageith
Company/Organisation	G & AG Proctor	Address 2:	
Telephone Number: *	[redacted]	Town/City: *	Forres
Extension Number:		Country: *	United Kingdom
Mobile Number:	[redacted]	Postcode: *	IV36 2SX
Fax Number:			
Email Address: *	[redacted]		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

The site is in the corner of a field located 50m SSW of Sourbank Farmhouse and 50m north of Parkview, Rafford, Forres, IV36 2SL

Northing: 856135 Easting: 307488

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☒ Meeting ☒ Telephone ☒ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Consultation took place with Emma Mitchell regarding Planning Policies and other council departments to address access issues to the site and at the U102E/B9010 junction.

Title: Mrs Other title:

First Name: Emma Last Name: Mitchell

Correspondence Reference Number: Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area: 2568.00

Please state the measurement type used: ☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agricultural land (Livestock field)

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☐ Yes – connecting to public drainage network

☒ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

☒ New/Altered septic tank.

☐ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

☒ Discharge to land via soakaway.

☐ Discharge to watercourse(s) (including partial soakaway).

☐ Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Foul water to a 3800 litre septic tank connected to a land soak-away, as shown on the submitted Site Plan GRP/09/19/002 and proposed by GMC Surveys Site Investigation and Drainage report.

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

There will be a bin hard standing adjacent to the detached garage for the permanent storage of recycling and refuse bins

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☒ Yes ☐ No

How many units do you propose in total? * 1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☒ Yes ☐ No

Do you have any agricultural tenants? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: Peter Mitchell

On behalf of: Mr Graeme Proctor

Date: 29/11/2020

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☒ Yes ☐ No ☐ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☒ Roof plan.

☒ Master Plan/Framework Plan.

☒ Landscape plan.

☒ Photographs and/or photomontages.

☒ Other.

If Other, please specify: * (Max 500 characters)

Additional supporting documents listed on the covering letter

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☒ N/A
A Design Statement or Design and Access Statement. *	☒ Yes	☐ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☒ Yes	☐ N/A
Drainage/SUDS layout. *	☒ Yes	☐ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☐ Yes	☒ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

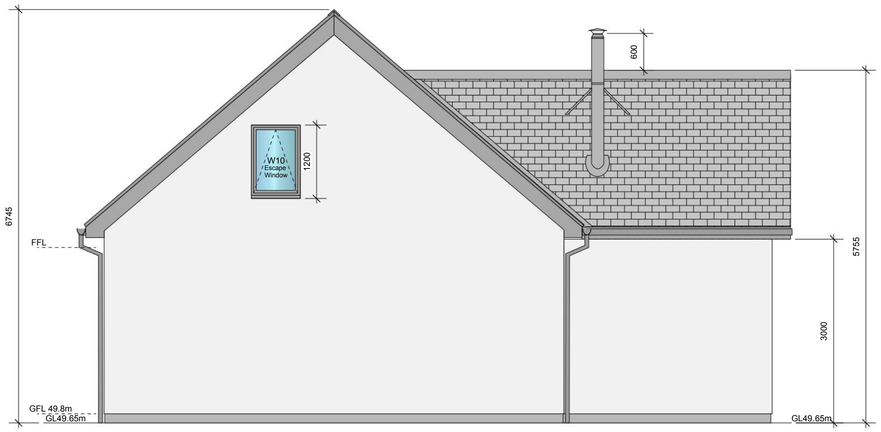
Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Peter Mitchell

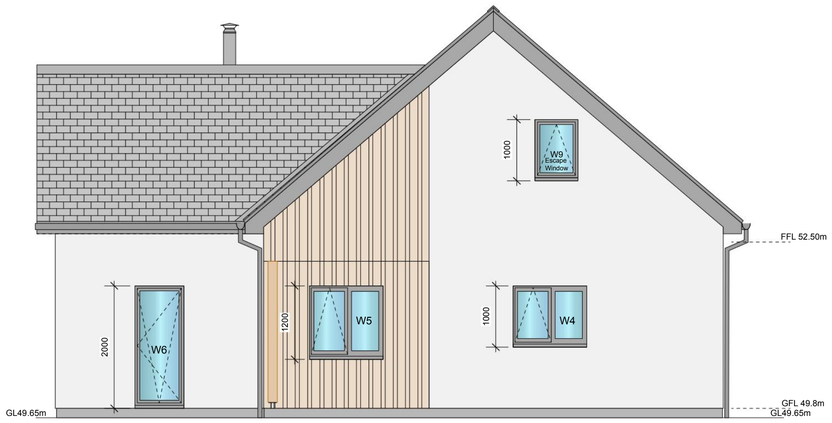
Declaration Date: 04/12/2020



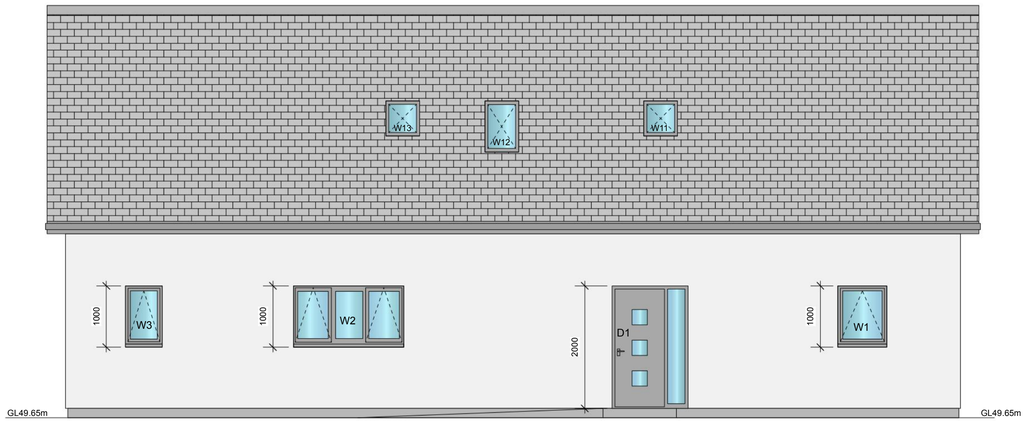
North Elevation

West Elevation

Elevations



South Elevation



East Elevation

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COLOUR SCHEME

WALLS:
White K-render and T&G larch timber cladding as shown.

ROOF:
Reclaimed welsh slates with grey ridge tiles as shown for the house.

RAINWATER COLLECTION:
Pipes and guttering to be grey as shown.

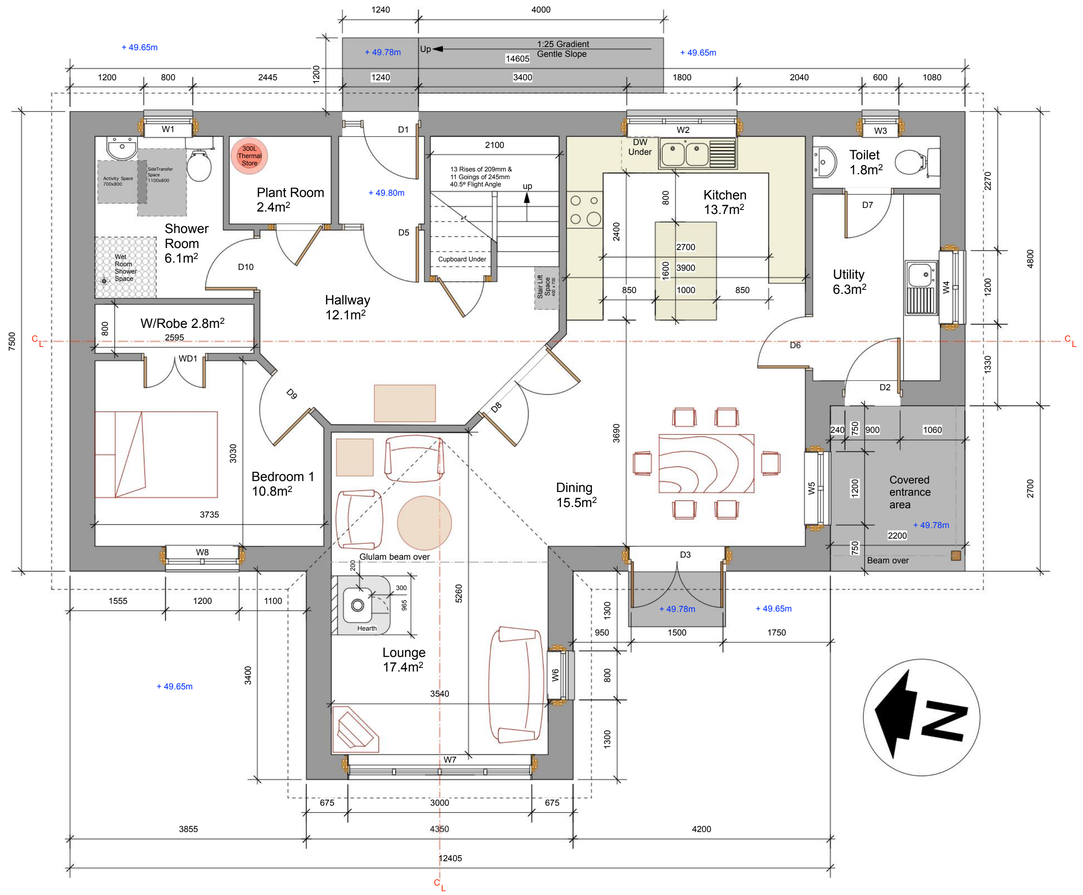
WINDOWS & DOORS:
Grey uPVC doors and windows as shown

FASCIA & BARGE BOARDS:
Grey uPVC as shown.

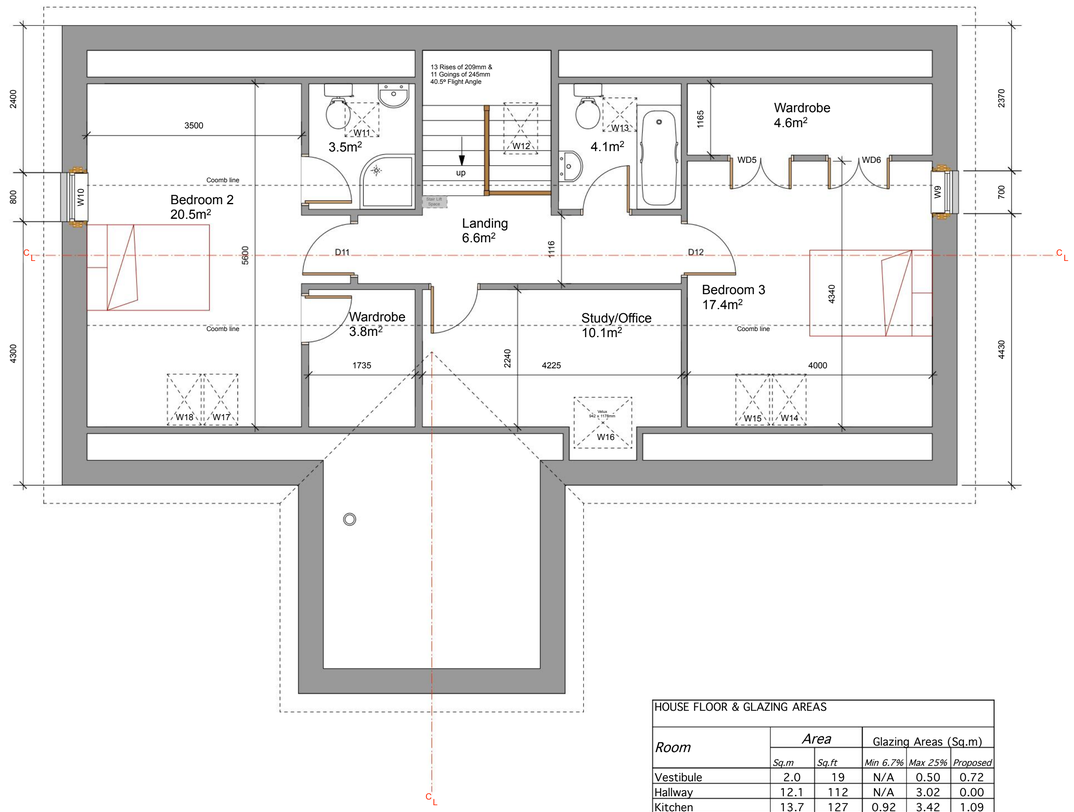
Related Drawings and Documents
GRP/09/19/001 Location Plan
GRP/09/19/002 Site Plan
GRP/09/19/003 Floor Plans
GRP/09/19/005 Garage Plans
GRP/09/19/006 House Section

Revisions
A. Change roof pitch to 40.5° (25/08/20).

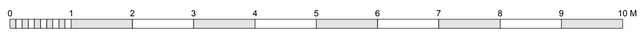
Drawing Title: Elevations			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/004		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A1	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 29/11/20	Drawn: Pete M	Checked:	Job Title: Erect 1.25 Storey Dwelling House



Ground Floor Plan



First Floor Plan



HOUSE FLOOR & GLAZING AREAS					
Room	*Area*		Glazing Areas (Sq.m)		
	Sq.m	*Sq.ft*	*Min 6.7%*	*Max 25%*	*Proposed*
Vestibule	2.0	19	N/A	0.50	0.72
Hallway	12.1	112	N/A	3.02	0.00
Kitchen	13.7	127	0.92	3.42	1.09
Dining Room	13.7	128	0.92	3.43	2.71
Utility Room	6.3	59	N/A	1.58	0.73
Utility Toilet	1.8	16	N/A	0.44	0.35
GF Shower Room	6.1	57	N/A	1.52	0.50
Plant Room	2.4	22	N/A	N/A	0.00
Lounge	19.1	178	1.28	4.78	6.36
Stairwell	5.0	46	N/A	1.24	0.18
FF Bathroom	4.1	38	N/A	1.03	0.22
FF En-suite	3.6	33	N/A	0.89	0.22
Bedroom 1	10.7	100	0.72	2.68	0.91
Bedroom 2	20.5	190	1.37	5.12	1.37
Bedroom 3	17.4	161	1.16	4.34	1.17
FF Landing	6.6	61	N/A	1.64	0.18
FF Study	10.1	93	0.67	2.52	0.75
Bed 1 Wardrobe	2.1	19	N/A	N/A	0.00
Bed 2 Wardrobe	3.9	36	N/A	N/A	0.00
Bed 3 Wardrobe	4.7	43	N/A	N/A	0.00
TOTALS	157.1	1460	7.0	38.2	17.5

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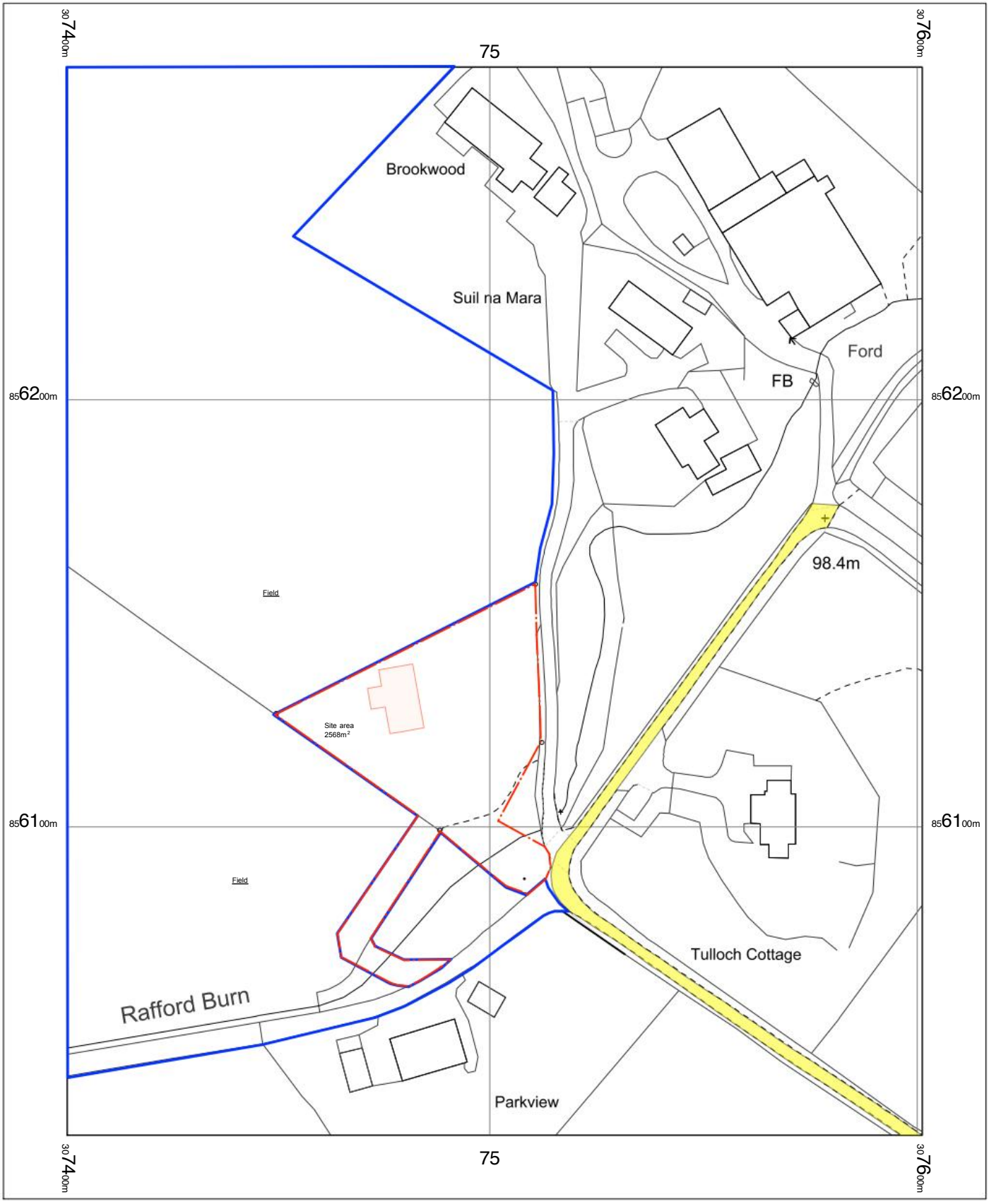
Related Drawings and Documents
GRP/09/19/001 Location Plan
GRP/09/19/002 Site Plan
GRP/09/19/004 Elevations
GRP/09/19/005 Garage Plans
GRP/09/19/006 House Section

Revisions
A. Change roof pitch to 40.5° (25/08/20).

Drawing Title: Floor Plans			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/003		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A1	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 25/08/20	Drawn: Pete M / Checked:	Job Title: Erect 1.25 Storey Dwelling House



0 5 10 15 20 25 30 35 40 45 50
m

Notes

1. Land subject to this application is indicated thus:-
2. Adjacent land owned by the applicant is indicated thus:-

Drawing Title	Date
Location Plan	28/11/20
Drawing No. GRP 09/19/001A	Client G & AG Proctor
Location Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL	
Project Title Erect 1.25 Storey Detached House	Scale (A4 print) 1:1250

OS MasterMap 1250/2500/10000 scale
Wednesday, November 27, 2019, ID: BLJT-00844098
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 307501 E, 856153 N

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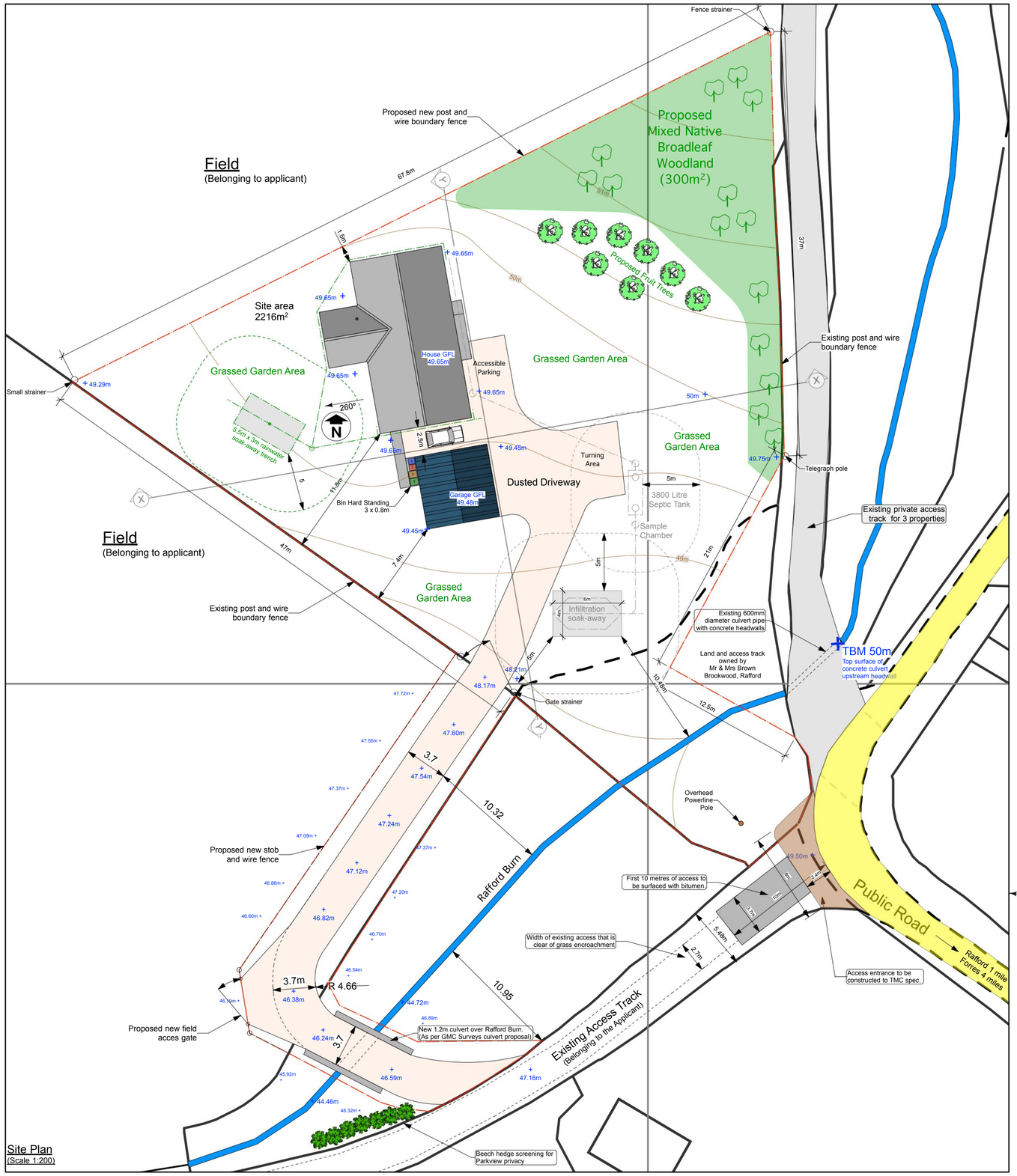
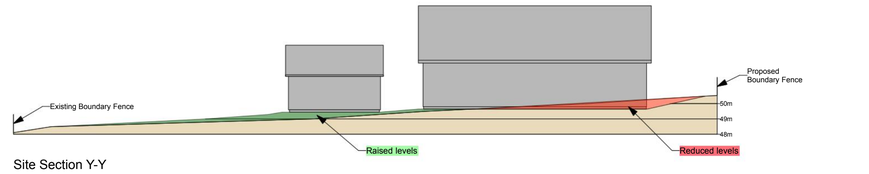
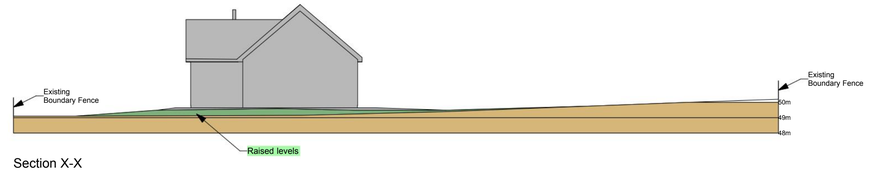
N





Site Section Y-Y



Section X-X

Site Sections
(Scale 1:200)

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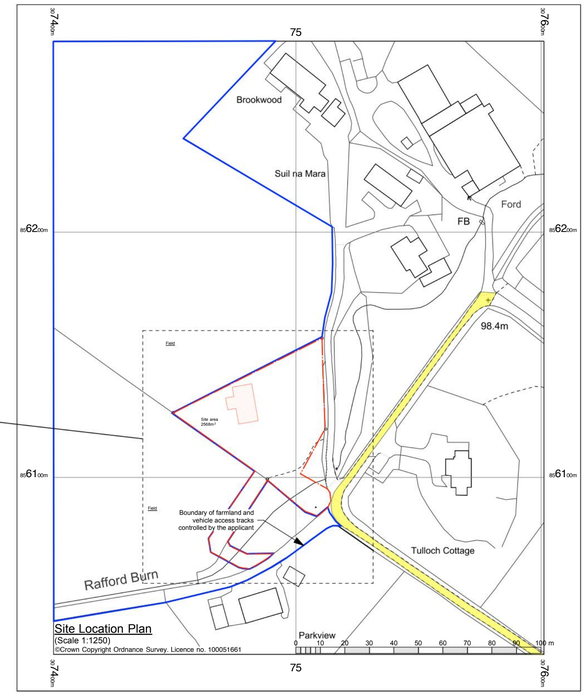

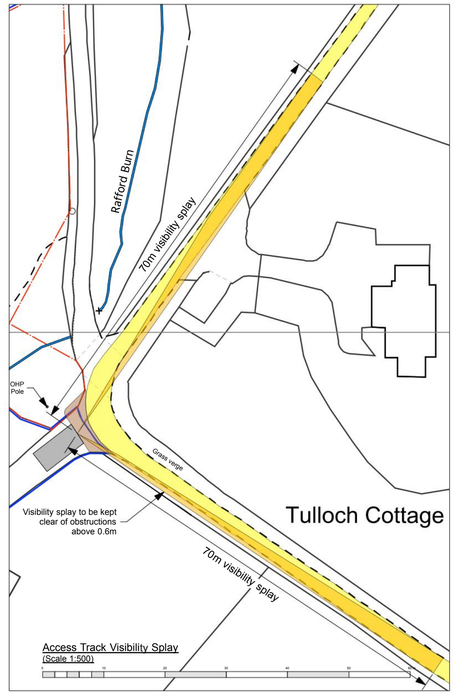

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Tree Planting Proposal

This site was formerly part of a field and there are no existing trees on it.
The proposed building site is to have a minimum 25% tree cover, with new plantings made up of native species as follows:
Silver Birch to form part of a 300m² broadleaf woodland area as shown 1.2 to 1.5m high, at 3m spacing, quantity 50.
Oak to form part of a 300m² broadleaf woodland area as shown, 0.3 to 0.5m high, at 3.5m spacing, quantity 35.
Apple, Pear, Cherry and Plum trees, are also to be planted to make up additional tree cover, 1.2 to 1.5m high, at 3m spacing, quantity, 2 per species

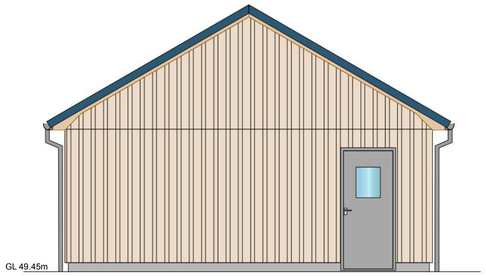
Where top soil depths are shallow the ground is to be top dressed to provide a minimum depth of 300mm.
To prevent damage, all new plantings are to be supported by stakes with pest guards or shelters provided as appropriate.

Site Levels

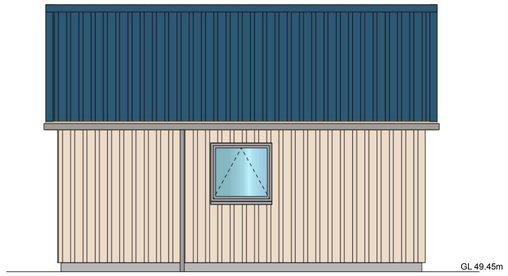
All indicated site levels relate to the Temporary Bench Mark (TBM) datum point located on the top surface of the Rafford Burn concrete culvert upstream headwall adjacent to the access track public road entrance, as shown.

Revisions:
A. Landscape detail added to site plan and drainage layout revised following ground survey.
B. Revisions superceded.
C. New access route and visibility splay

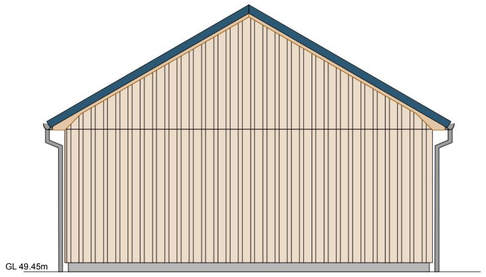
Drawing Title: Site & Landscape Plan			Client: G & AG Proctor
Job No.: GRP 09/19	Drawing No.: GRP 09/19/002		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Metres	Paper Size: A1	Revision: C	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:200	Date: 28/11/20	Drawn: Pete M	Checked:	Job Title: Erect 1.25 Storey Dwelling House



West Elevation

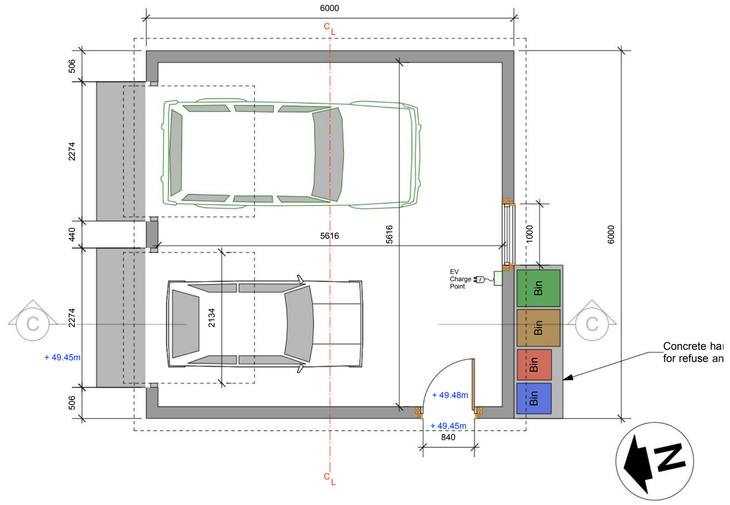


South Elevation

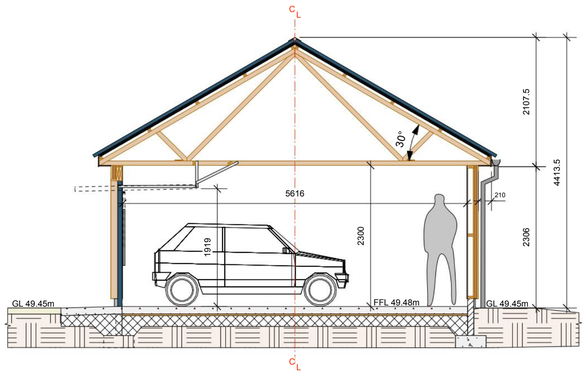


East Elevation

North Elevation



Garage Floor Plan



Cross Section C-C

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COLOUR SCHEME

WALLS:
T & G larch timber cladding as shown.

ROOF:
Slate blue planwell profile sheets.

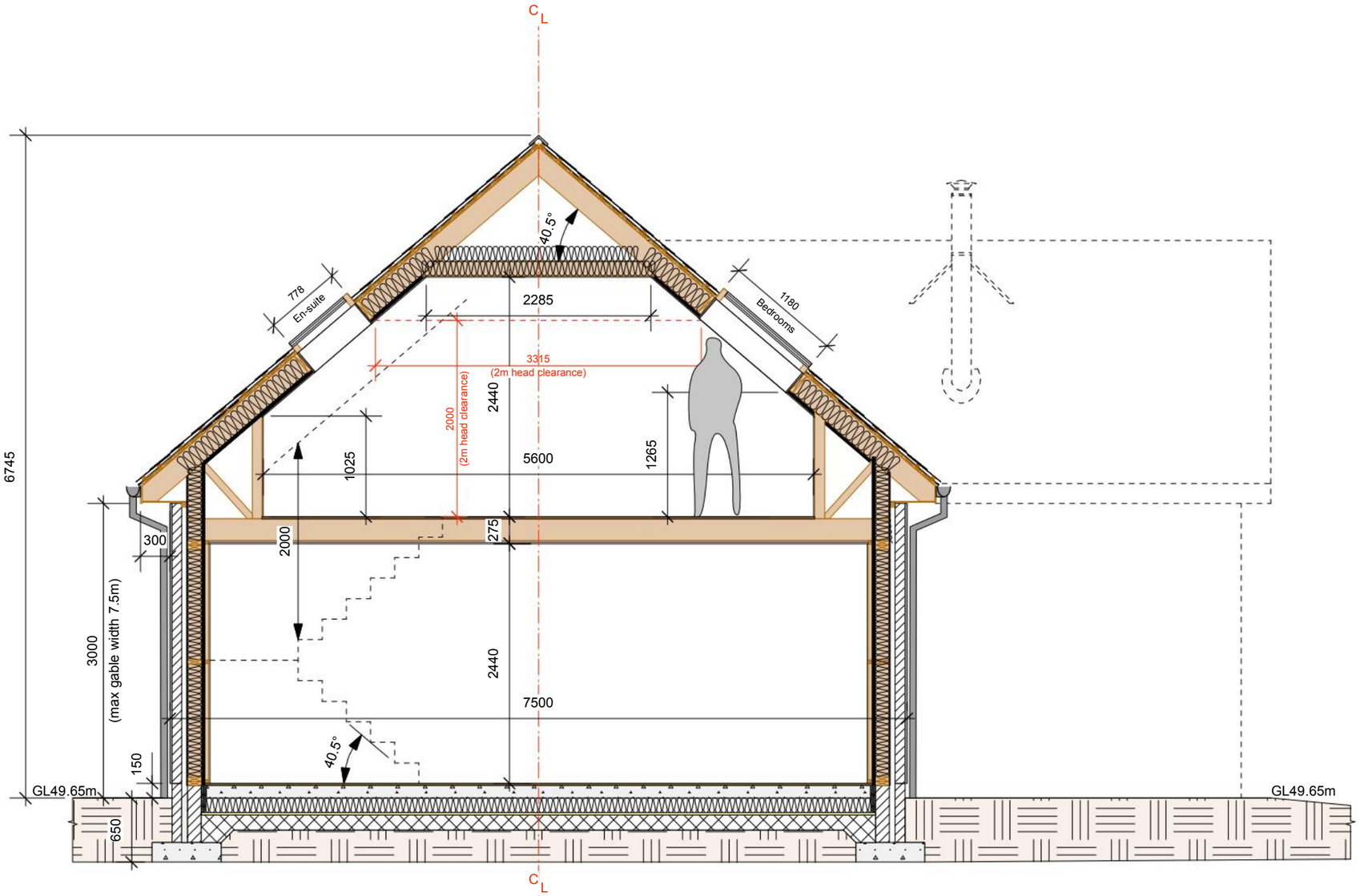
RAINWATER COLLECTION:
Pipes and guttering to be grey as shown.

WINDOWS & DOORS:
Grey uPVC doors and windows as shown

FASCIA & BARGE BOARDS:
Natural timber as shown.

Revisions
A. Planning Application revisions 22/11/20

Drawing Title: Timber Garage Plans			Client: G & AG Proctor
Job No.: GRP/09/19		Drawing No.: GRP/09/19/005	Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A1	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 28/11/20	Drawn: Pete M / Checked:	Job Title: Erect 1.25 Storey Dwelling House



Typical Cross Section Detail
Scale 1:50

0 1 2 3 4 5 6 7 8 M

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Revisions
A. Change roof pitch to 40.5° (25/08/20).

Drawing Title: House Section			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/006		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A3	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 25/08/20	Drawn: Pete M	Checked:
			Job Title: Erect 1.25 Storey Dwelling House

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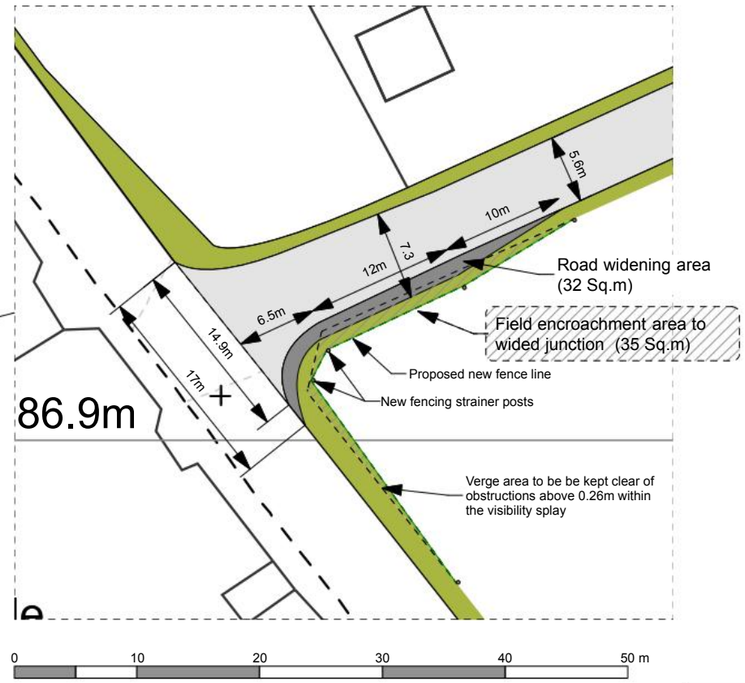
Proposed Junction Improvements at B9010/U102E Junction



Proposed Widening Detail of B9010/U102E Road Junction
Scale 1:200

0 5 10 15 20 25 30 35 40 45 50 m

N

OS MasterMap 1250/2500/10000 scale
Wednesday, June 10, 2020, ID: BLJT-00880942
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 306946 E, 855408 N

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Notes

Client: G & AG Proctor

Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL

Job ~~Architect~~/Designer: Peter M Mitchell

Job Title: Erect 1.25 Storey Dwelling House

Drawing Title: B9010/U102E Junction

Job No.	Drawing No.
GRP/09/19	GRP/09/19/007

All Dimensions In Metres | Paper Size: A3 | Revision:

Scale	Date	Drawn	Checked
As Shown	22/11/20	Pete M	

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Job No. P/App GRP/09/19

Planning Department
The Moray Council
High Street
ELGIN, IV30 1BX

29th November 2020

Dear Sir/Madam

RE. Erect 1.25 Storey Dwelling House at Sourbank, Rafford, Forres, Moray, IV36 2SL

This is a resubmission of Planning Application 19/01599/APP. The original application was withdrawn on 24/03/20 to allow time to address the Local Plan requirements it did not meet and the visibility issues with the vehicle access from the U102E Public Road and the U102E junction with the B9010.

In accordance with The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004, as this application (which is of "the same character or description of development on the same site"), is being submitted within 12 months of its original submission date of 10 December 2019, there is no fee requirement.

Following the withdrawal, a Planning Consultant was engaged to address the issues identified and any subsequent issues that may arise. The consultations with the Moray Council and other statuary bodies are now complete and we are in a position to resubmit the Planning Application.

The following drawings and supporting documents have been submitted as part of the e-Planning application on behalf of the applicants, G & AG Proctor

GRP/09/19/001A - Location Plan (A4 size)
GRP/09/19/002C - Site Plan (A1)
GRP/09/19/003A – Floor Plans (A1)
GRP/09/19/004A – Elevations (A1)
GRP/09/19/005A – Garage Plans (A1)
GRP/09/19/006A – House Section (A2)
GRP/09/19/007 – B9010/U102E Junction (A3)
Visual Impact Photos (A4)
Client's Design Statement dated 8th December 2019.
Agricultural Needs Assessment by Bowlts (TO BE KEPT PRIVATE)
Planning Supporting Statement Jane Shepherd (TheTownPlanner)
Site investigation and drainage survey by GMC Surveys
Culvert Proposal by GMC Surveys

We trust that this is all in order but if you have any queries please do not hesitate to contact this office.

Yours faithfully

[redacted]

Mr. PM Mitchell
For **PM Designs**

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Todholes, Dallas
FORRES, IV362RW
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M: 0788 146 2217
www.pmdesigns.eu

29th November 2019

Job No. P/App GRP/09/19

Re: Proposed Erection of 1.25 Storey Dwelling House at Sourbank, Rafford, Forres, Moray, IV36 2SL

Design Statement on Behalf of The Planning Application Applicants

We wish to build an environmentally friendly energy efficient home, whilst keeping it in character with local properties as far as possible, yet still reflecting the era in which it is being built. The house will enable the next generation of the Proctor family to live adjacent to the farmland the family works. The development is sited in the corner of a field owned by our family and is adjacent a cluster of both old and new houses at Sourbank, Rafford.

To achieve a sympathetic appearance and energy efficiency we have incorporated the following design features into the proposed building.

1. Timber frame construction with mainly rendered external walls, with some locally sourced larch cladding to compliment the nearby woodland setting and the proposed tree planting. The colours are indicative only but the final shades are unlikely to differ markedly from those shown.
2. The house is 1¼ storey high with a roof pitch of 40.5 degrees and will be covered with reclaimed welsh slate.
3. A high standard of insulation, along with high specification glazing and an air sourced heating system will make this an energy efficient home for the 21st century. A wood burning stove will supplement the heating system in the winter months and provide a focal point within the property.
4. A woodland area will be created in the northern corner to provide 25% tree cover and will help to screen the proposed house from neighbouring properties, as well as providing wildlife habitat.

[redacted]

Peter M Mitchell, **PM Designs** (Agent)
On behalf of the applicants
G & AG Proctor
Balnageith Farm,
Balnagieth,
Forres,
Moray,
IV36 2SX

Gary Mackintosh
Email: gmcsurveys@gmail.com
Tel: 07557431702

gmcsurveys

Surveys, Setting-Out Civil Engineering Design

Culvert Proposals

SOURBANK, RAFFORD

Gary Mackintosh Bsc
gmcsurveys@gmail.com

Client:

Mr G Proctor

Site Address:

Proposed New Access
Sourbank
Rafford

Planning Reference:

N/A

Date:

3rd November 2020

Job Number:

RB01

Company Information:

Assessment completed by:

Gary Mackintosh Bsc
GMCSurveys
34 Castle Street
Forres
Moray
IV36 1PW
Email: gmcsurveys@gmail.com
Telephone: 07557431702

Introduction:

It is proposed to construct a new access to a new private dwelling house located at Sourbank to the south east of Rafford, By Forres.

The proposed crossing is to be located opposite existing property 'Parkview and the final surfacing of the access is to be confirmed. The proposed access width as shown within Appendix B is to be 3.75m in width.

There is an existing culverted access to 'Brookwood' located approximately 50m to the north east with a diameter of 700mm.

GMC Surveys have been asked to provide suitable calculations demonstrating the required culvert sizing for the proposed new access.

Description of Works:

The crossing as measured from top of bank to top of bank is approximately 6.8m in width at the widest point with a depth of 1.9m to the invert level of the channel.

The preferred option is to install a short span bridge to provide a crossing. Due to the width of the span taking in to account the additional length required to provide structural integrity, the installation of a short span bridge has been deemed not practical in the delivery of the single house development.

The Calculation sheet within Appendix A indicates the suitability of a 1200mm x 1200mm box culvert to be installed at a length of 4.5m which would be adequate to manage peak flows up to a 1:200year event.

The culvert is to be set in to the channel of the burn at a level of 200mm below the existing invert, the internal base of the culvert is to be made up to existing burn levels using bed material to act similar to an open channel culvert. The use of a box culvert has been proposed to provide the structural integrity required for the potential access of larger vehicles.

The Proposed Culvert details have been provided in Appendix B and the suitability of the details are to be confirmed by SEPA.

APPENDIX A

Culvert Sizing Calculations

Culvert Capacity Estimation - Rafford Burn

Mean Velocity and maximum flow through a 1.2 metre x 0.6 metre concrete box culvert with a total length of 17.4 metres.
Inlet level of culvert 10.51 metres and outlet level of culvert 10.341 metres.

Method used based on standard Manning's equations

Water Density, Dynamic and Kinematic Viscosity Estimates
(Based on mean water temperature)

Temperature of water: $T := 7.82\ ^{\circ}C$ or $T = 980.97K$

Density of Water Estimates
The density of water calculated for the given temperature above using the Thiesen Equation

Constants used for water in Thiesen Equation

$a^1 := -3.983035$ $a^2 := 301.797$ $a^3 := 522528.9$ $a^4 := 69.34881$ $a^5 := 999.974950\ kg\ m^{-3}$

Density of water at given temperature $\rho := a^5 \cdot \left(1 - \frac{(T + a^1)^2 \cdot (T + a^2)}{a^3 \cdot (T + a^4)}\right)$ $999.862\ kg\ m^{-3}$

Dynamic Viscosity Estimates

The dynamic viscosity calculated using the Vogel equation parameters

a := -3.7188 b := 578.919 c := -137.546 Temperature in Kelvin $T^k = 280.97$

Dynamic viscosity at specified temperature $\mu := e^{\left(a + \frac{b}{c + T^k}\right)}$ 0.001374 N s m̄²

Kinematic Viscosity Estimates $\nu := \frac{\mu}{\rho} = (1.374 \cdot 10^{-6})\ m^2\ s^{-1}$

Kinematic viscosity of water at specified temperature

Metric constant u:= 1
Width of box culvert B := 1.2m Depth of box culvert D := 1.2m

Manning's Coefficient based on concrete constructed channel

Coefficient range between 0.011 and 0.025 mean value: n := 0.0180 s m

Total cross-sectional area of culvert A := B • D = 1.44 m²

Total wetted perimeter of culvert $P^w := 2 \cdot (B + D) = 4.8m$

Hydraulic radius $R^h := \frac{A}{P^w} = 0.300m$

Vertical drop along culvert d:= 46.60m – 46.43m = 0.170m

Length of culvert l := 4.5m

Longitudinal slope of culvert $S^o := \frac{d}{l} = 0.037$

Mean velocity through the culvert at full capacity: $V := \frac{u}{n} \cdot R_h^{\frac{2}{3}} \cdot S_0^{\frac{1}{2}} =$ 4.789 m s^{-1}

The maximum flow that the culvert can pass: Q := V • A = 6.896 m^3 s^{-1}

Since the peak flow rate generated during a rainfall event with a specified annual probability is known the depth of water of water in the channel during the event can be estimated as follows:

Time taken to flow through the culvert: $time := \frac{l}{V} = 0.809s$

Peak flow estimaed for 1 in 200 year return period: Q_{200} := 1.59 m^3 s^{-1}

Cross-sectional area of partially full culvert: $A_{par} := \frac{Q_{200} \cdot time}{l}$:= 0.285m³

Total depth of water in culvert: $D_{par} := \frac{A_{par}}{B}$ = 0.237m

Flow inertia to gravity or Froude number: $F := \frac{V}{\sqrt{g \cdot D_{par}}}$ = 3.140

Since the depth of water during a 1 in 200 year return period is less than would occur during a pipe full the reduction in frictional loss will temporarily increase the flow in the culvert.
The following estimates are to determine if this increase in flow would exceed the maximum capacity of the box culvert.

Total wetted perimeter of a partially full culvert: $P_{par} := B + 2 \cdot (D_{par})$ = 1.674m

Hydraulic radius of a partially full culvert: $R_{par} := \frac{A_{par}}{P_{par}}$ = 0.170m

Hydraulic diameter of a partially full culvert: $D_h := \frac{4 \cdot A_{par}}{P_{par}}$ = 0.681m

Renolds number: $Re := \frac{\rho \cdot V \cdot D_h}{\mu}$ = 2373259.781

d'Arcy friction coefficient for turbulent flow: $f := \frac{0.316}{Re^{0.25}}$ = 0.00851

Mean velocity of water in partially full culvert: $V_{par} := \left(\frac{2 \cdot g \cdot S_0 \cdot 4 \cdot R_{par}}{f}\right)^{\frac{1}{2}}$ = 7.616 m s^{-1}

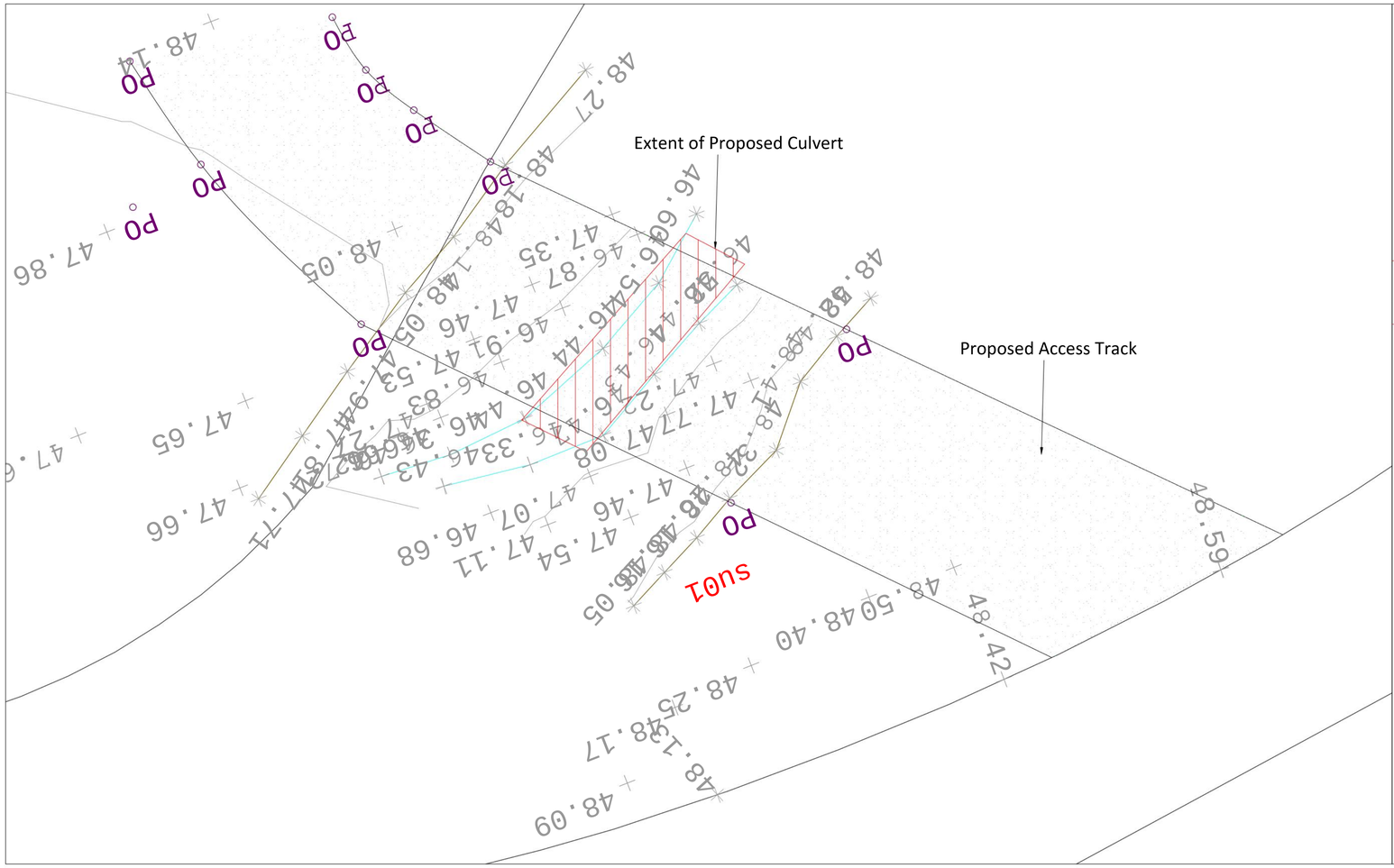
The peak flow that the partially full culvert will pass: $Q_{par} := V_{par} \cdot A_{par}$ = 2.170 $m^3 s^{-1}$

The maximum flow of water that the box culvert can pass in 4.789 cubic metres per second and the peak flow during a 1 in 200 year return period is only 1.59 cubic metres per second and even when partially full the peak flow will increase to 2.170 cubic metres per second temporarily due to a higher velocity caused by a decrease in the wetted perimeter. The proposed 1.2m x 1.2m box culvert would therefore be adequate.

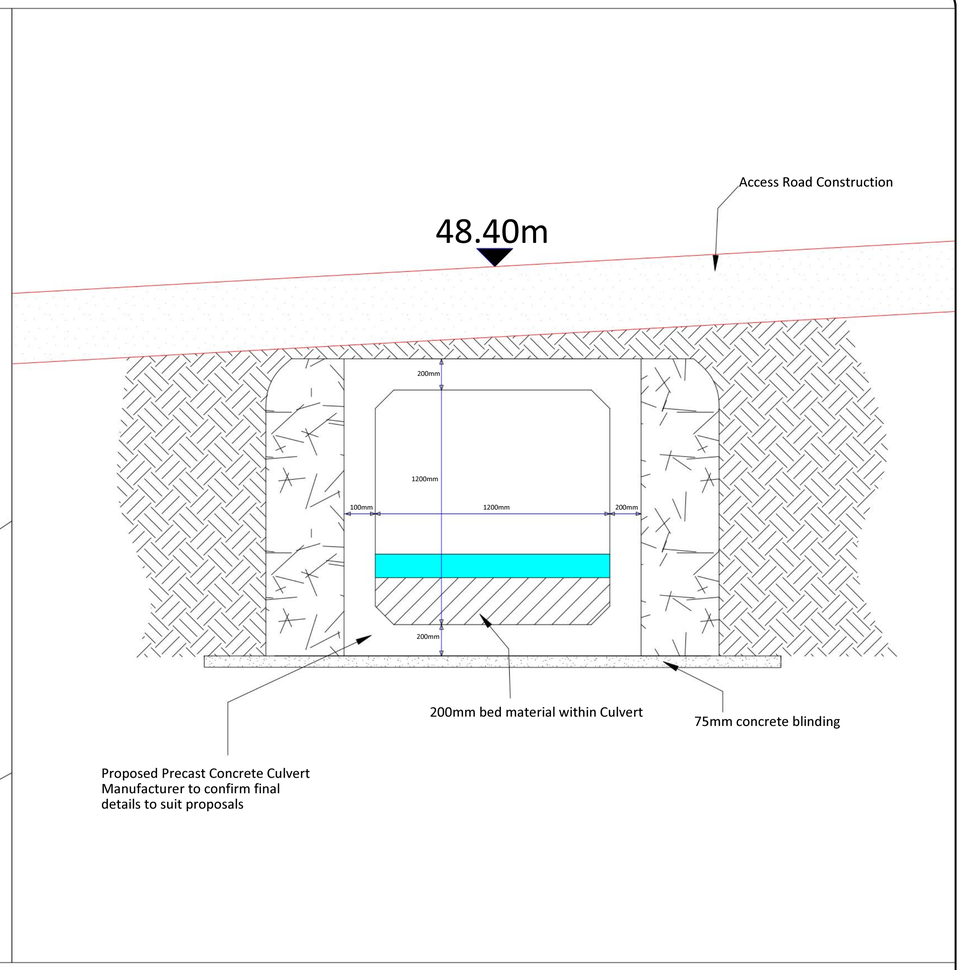
During partually full culvert conditions the Renolds is greater than 4000 and the Froude number is greater than 1 therefore the flow will be supercritical and turbulent.

APPENDIX B

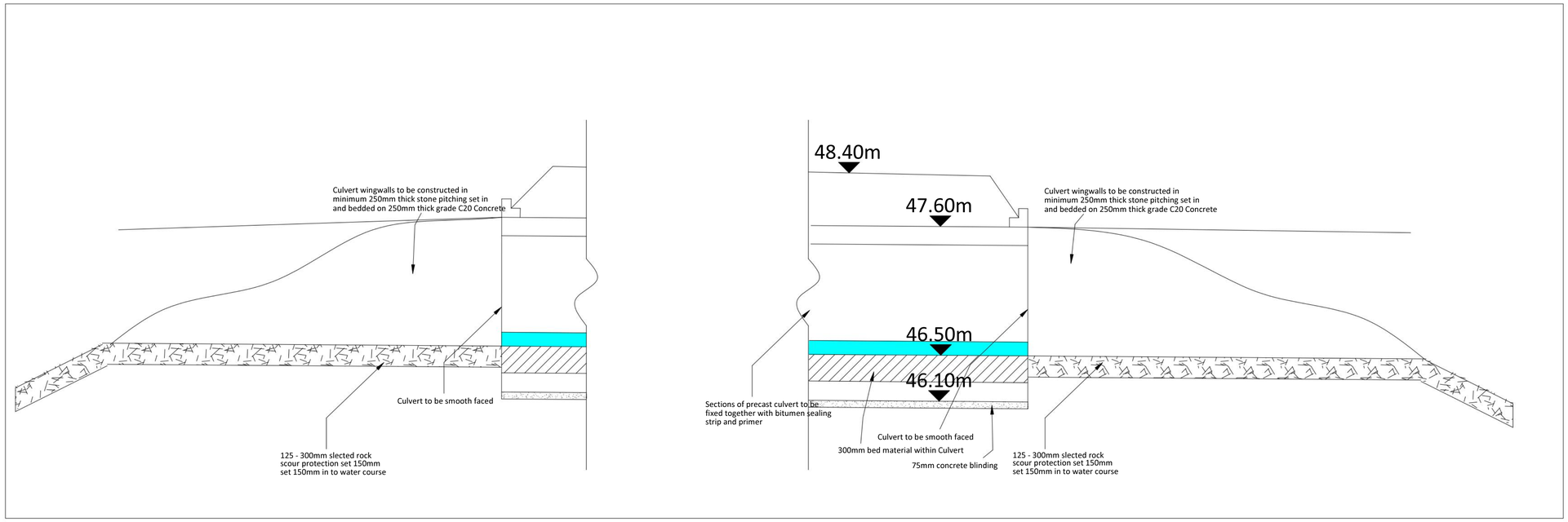
Culvert Details



Culvert Location/Plan View 1:50



Culvert Cross Sectional View NTS



Culvert Inlet Outlet Detail NTS

REV:	DESCRIPTION:		

STATUS: Construction Issue

gmcsurveys
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E: gmcsurveys@gmail.com

CLIENT: Mr G Proctor

SITE: Proposed new Access Sourbank, Rafford

TITLE: Culvert Details

SCALE AT A1:	DATE:	DRAWN:	CHECKED:
SHOWN	NOV20	GM	
PROJECT NO: RB01	DRAWING NO: 900		REVISION:

Gary Mackintosh
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gmcsurveys

Surveys, Setting-Out Civil Engineering Design

Site Investigation & Drainage Assessment

SOURBANK, RAFFORD

Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

30 April 2021

Development Management
Environmental Services
The Moray Council

Gary Mackintosh BSc
gmcsurveys@gmail.com

Client:

Mr R Proctor

Site Address:

Sourbank
Rafford

Planning Reference:

N/A

Date:

18th December 2019

Job Number:

0956C

Company Information:

Assessment completed by:

Gary Mackintosh
GMCSurveys
34 Castle Street
Forres
Moray
IV36 1PW
Email: gmcsurveys@gmail.com
Telephone: 07557 431 702

Introduction:

The proposed site is located on farmland at Sourbank, Rafford. The site is currently bounded by agricultural land to the north and west boundaries and the access road to the remainng boundaries. The proposals are to erect a 3 bed domestic dwelling and supporting infrastructure.

The SEPA Flood Maps have been consulted which indicate that the site lies outwith any areas of fluvial or pluvaial flooding up to a 1:200year event.

GMC Surveys have been asked to carry out a site investigation in order to assess the suitability of the site and provide a drainage solution.

Soil Conditions:

Excavations were carried out using a mechanical digger on 14th December 2019 to assess the existing ground conditions and carry out infiltration and percolation testing for the dispersal of foul and surface waters.

The trial pits were excavated to depths of 1.5m and no ground water was encountered at this depth.

The excavations provided existing ground conditions 250 – 350mm TOPSOIL overlying light red/brown medium to dense sand to a depth of the excavations.

Percolation/Soakaway Testing:

Percolation testing was carried out in full accordance with BS6297: 2007 + A1: 2008 and as described in Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic). The results can be found in the table below.

	1st	2nd	3rd	Mean
Date of Test	**14/12/2019**	**14/12/2019**	**14/12/2019**	
TP01	2400s	2520s	2580s	2500s
TP02	2520s	2580s	2760s	2620s
Average Soil Vp				**17.07s/mm**

Infiltration testing:

Infiltration testing was carried out in full accordance with BRE digest 365. The results can be found in the table below.

Infiltration Test	**Pit Dimensions (w/l)**	**Test Zone (mbgl)**	**Infiltration Rate (m/s)**
INF01	0.8mx 1.0m	0.5 – 1.5	1.9×10^{-5}

Conclusion and Recommendations:

The natural ground is suitable for Traditional strip foundations designed in accordance with BS8110 – Structural use of Concrete.

Based on the onsite investigations it can be confirmed that the underlying soils are suitable for the use of standard stonefilled soakaways as a drainage solution for foul waters.

Foul Water Discharge via Soakaway:

Soil Percolation Value – 17.07s/mm
No of Persons (3bed) – 5PE
Min Base Area (A=Vp x PE x 0.25) = **21.34m2**
This area can be provided with soakaway plan dimensions 6.0m x 4.0m at a depth of 0.45m below invert level, alternative dimensions may be used ensuring that the minimum base area of **21.34m²** is maintained.

The minimum required volume for the treatment plant can be estimated as:

PE x 180 +2000

= 5 x 180 + 2000 = 2900Litres (from Flows and Loads Volume 4)

Surface Water Dispersal:

Please see attached surface water calculations detailing the requirement and suitability for soakaway dimensions of **5.5m x 3.0m at a depth of 1.5m** below the invert level based on the proposed contributing area of 160m² (roof area of house and garage) up to a 1 in 30 year event with 35% allowance for climate change.

Soakaway Details can be found in Appendix.

SEPA consent will be required prior to the installation of the proposed drainage.

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course and any inland and coastal waters, permeable drain (including culvert), road or railway
- 5m from a building or boundary

MasterDrain SW 16.12	gmcsurveys Surveys, Setting Out Civil Engineering Design	Shireen Villa, 34 Castle Street Forres IV36 1FN email: gmcsurveys@gmail.com Mobile: 07557 431 702	Job No. 956C Sheet no. 1 Date 30/11/20		
	Project Sourbank		By GM	Checked	Approved
	Title BRE365 Trench calculations for Forres				

Rectangular pit design data:-

Pit length	= 5.5 m	Pit width	= 3 m
Depth below invert	= 1.5 m	Percentage voids	= 30.0%
Imperm. area	= 160 m²	Infilt. factor	= 0.000019 m/s
Return period	= 30 yrs	Climate change	= 35%

Calculations :-

Surface area of soakaway to 50% storage depth (not inc. base):-

a_{s50} = 2 x (length + width) x depth/2 = 12.8 m²

Outflow factor : O = a_{s50} x Infiltration rate = 0.0002422 m/s

Soakaway storage volume : S_{actual} = length x width x depth x %voids/100 = 7.4 m³

Duration	Rainfall mm/hr	Inflow m³	Depth (hmax) m	Outflow m³	Storage m³
5 mins	93.4	1.2	0.24	0.07	1.17
10 mins	72.3	1.9	0.36	0.14	1.78
15 mins	60.3	2.4	0.44	0.22	2.19
30 mins	42.6	3.4	0.60	0.44	2.97
1 hrs	28.8	4.6	0.75	0.87	3.73
2 hrs	18.8	6.0	0.86	1.74	4.27
4 hrs	12.1	7.7	0.86	3.49	4.25
6 hrs	9.3	8.9	0.75	5.23	3.70
10 hrs	6.7	10.7	0.40	8.72	1.96
24 hrs	3.8	14.4	0.00	20.93	0.00

Actual volume : S_{actual} = 7.425 m³

Required volume : $S_{reqd.}$ = 4.270 m³

Soakaway volume storage OK.

Minimum required a_{s50} : 7.33 m²

Actual a_{s50} : 12.75 m²

Minimum depth required: 0.86 m

Time to maximum 2 hrs

Emptying time to 50% volume = t_{s50} = S_{reqd} x 0.5 / (a_{s50} x Infiltration rate) = 02:26 (hr:min))

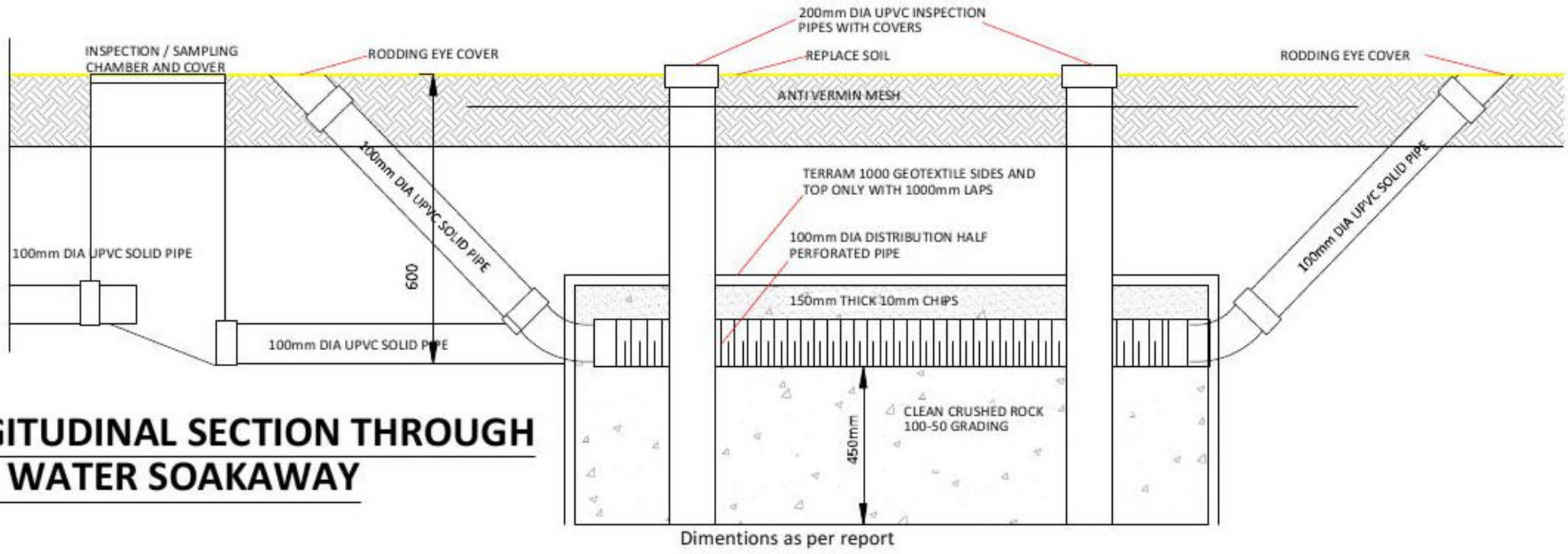
Soakaway emptying time is OK.

Location hydrological data (FSR):-

Location	= Forres	Grid reference	=
M5-60 (mm)	= 14	r	= 0.24
Soil index	= 0.15	SAAR (mm/yr)	= 720

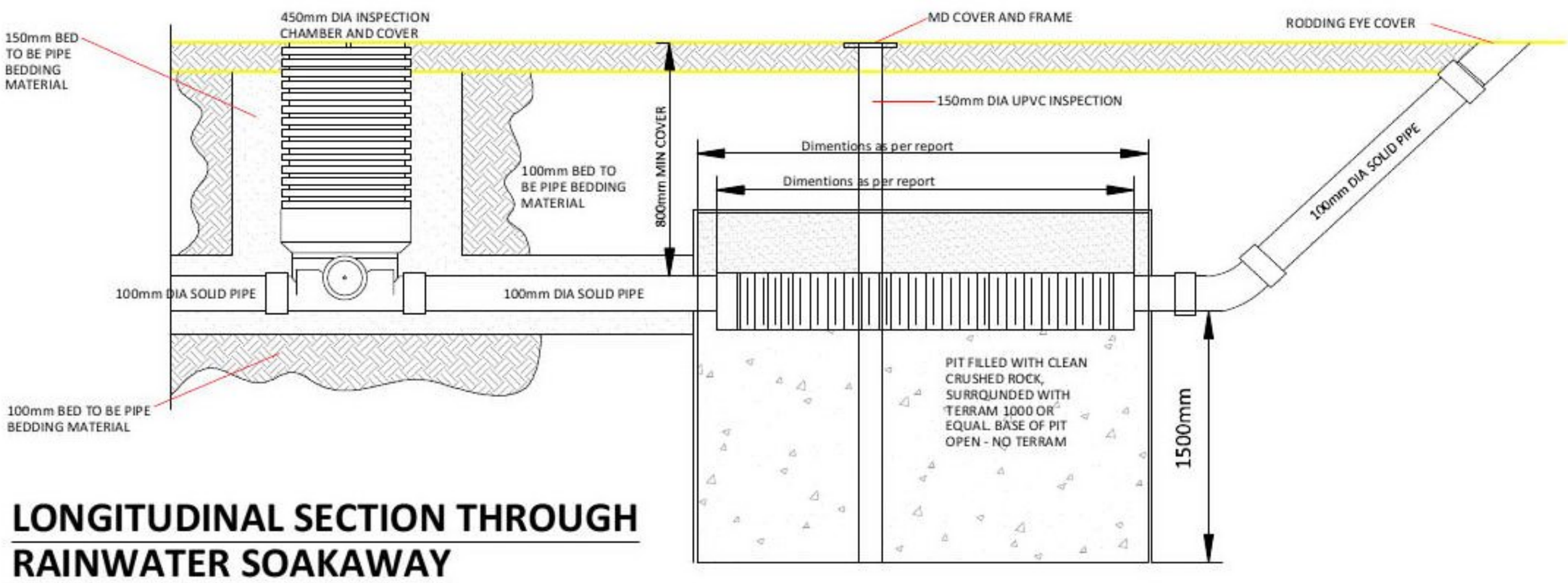
Soil classification for WRAP type 1
i) Well drained permeable sandy or loam soils and shallower analogues over highly permeable limestone, chalk, sandstone or related drifts;
ii) Earthy peat soils drained by dykes and pumps;
iii) Less permeable loamy over clayey soils on plateaux adjacent to very permeable soils in valleys.

N.B. The rainfall rates are calculated using the location specific values above in accordance with the Wallingford procedure.



LONGITUDINAL SECTION THROUGH FOUL WATER SOAKAWAY

Dimentions as per report



LONGITUDINAL SECTION THROUGH RAINWATER SOAKAWAY

REV:	DESCRIPTION:	BY:	DATE:

STATUS: ISSUE

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CLIENT: Mr R Proctor

SITE: Sourbank Rafford

TITLE: Soakaway Details

SCALE AT A4:	DATE:	DRAWN:	CHECKED:
NTS	NOV2020	GM	

PROJECT NO:	DRAWING NO:	REVISION:
0956C	Appendix	-

PLANNING SUPPORTING STATEMENT

CLIENT: MR GRAEME PROCTOR

SITE: LAND SW OF SOURBANK FARM, RAFFORD

Jane Shepherd MRTPI
December 2020

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SECTION 4: CONCLUSION

4.1 SUMMARY CONCLUSION AND RECOMMENDATION

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SECTION 1: INTRODUCTION

1.1 PURPOSE

The purpose of this Planning Supporting Statement is to demonstrate that the proposed house with detached double garage on a site SW of Sourbank Farm, Rafford, should be approved in compliance with both national and local planning policies.

1.2 OUTLINE SUMMARY

This Statement will outline the background to this site, providing a fully detailed physical, planning, and factual context for the proposal. Using all the contextual information, the Statement will then provide a detailed appraisal of the proposals against the local development plan policies concluding that planning permission should be granted for the proposed house development on this site.

SECTION 2: BACKGROUND AND CONTEXT Section 2 of this Statement provides a site and area description setting the landscape context for the proposal. It also provides full details of the proposals, the site's designation in MLDP20 and all the relevant planning history detailing the journey from the succession planning stage through extensive pre-application discussions and several planning applications and up to date to the current situation.

It is thereby demonstrated that the Proctor family have not just randomly picked a site to locate the new farmhouse. These plans have evolved over an extended ten-year period whilst considering all the feedback from Moray Council planning and transportation officers. The Proctors have methodically worked through all the available housing options. All the alternative options have now been discounted and this is the final one available to them, as presented in this planning application.

This Section also proves beyond doubt that this application is solely for the purposes to create an affordable house strictly in association with the succession planning for this farming business. There is no intention to erect a new dwelling for sale purposes.

SECTION 3: POLICY ASSESSMENT Since all planning applications must be considered against planning policy and material considerations, Section 3 provides an in-depth assessment of the proposals against all the relevant planning policies at national and local level, including MLDP20, starting with the principle of the development. This assessment demonstrates that the proposals are in general accordance with these relevant policies.

The only outstanding issue relates to the principle of the development under Policy DP4 of MLDP20. Unlike neighbouring planning authorities, Moray Council does not have a policy which allows for the provision of affordable housing specifically relating to the succession planning for farming businesses. The case must therefore rely on material considerations and/or a departure from Policy DP4. The functional need of this affordable accommodation for the successor to this farming business is a legitimate material planning consideration.

It is this demonstrable over-riding affordable and functional housing need which provides a robust case for approving this proposal for a farmhouse for the 4th generation farmer at Sourbank.

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1.3 PROPOSALS

Introduction

The proposal is for planning permission for a three-bedroom house with detached double garage. The house will be built and owned by the Proctor family partnership.

The proposals incorporate the provision of a new vehicular access from the U102E public road, via an established track within the ownership of the Proctors.

The following plans and documents have been submitted:

- GRP/09/19/001A – Location Plan
- GRP/09/19/002C – Site Plan
- GRP/09/19/003A - Floor Plans
- GRP/09/19/004A – Elevations
- GRP/09/19/005A – Garage Plans
- GRP/09/19/006A – House Section
- GRP/09/19/007 – B9010/U102E Junction
- Visual Impact
- Design Statement
- Agricultural Needs Assessment
- Site Investigation and Drainage Survey
- Culvert Proposal

These plans and documents together with this Planning Supporting Statement have been provided in support of the application.

General Site and Area Description

The site is located within a rural area, largely comprising farms and woodlands on undulating land. Within that rural landscape there are defined settlements, clusters of residential properties and individually sited houses and farms. In the immediate vicinity, the rolling farmland and woodlands are the predominant land use. There is no evident build-up of housing surrounding the site. Any individual houses and housing clusters are largely hidden from view by the mature woodlands, minimising any perceived impact upon the overall sparsely populated landscape.

Application Site

As shown on ***Plan 1***, The site is roughly triangular in shape, measuring 65 metres on the northern boundary, 70 metres on the south-western boundary, and 65 metres on the eastern boundary (all approximates) with a spur for the access road to the south of 36 m in straight length (with a return of 20 m) and 7 m in width (all approximates)

It has an area of approximately 2568 m2 and comprises a grass livestock field surrounded by other farmland on the north and west/south-west sides. On the northern boundary, the site is bounded by a mature woodland. To the east it is bounded by an access track up to three detached residential properties, which are screened by substantial mature landscaping (trees and shrubs). The boundaries of the proposed site are secured with post and wire fencing. (***Photo 1***)

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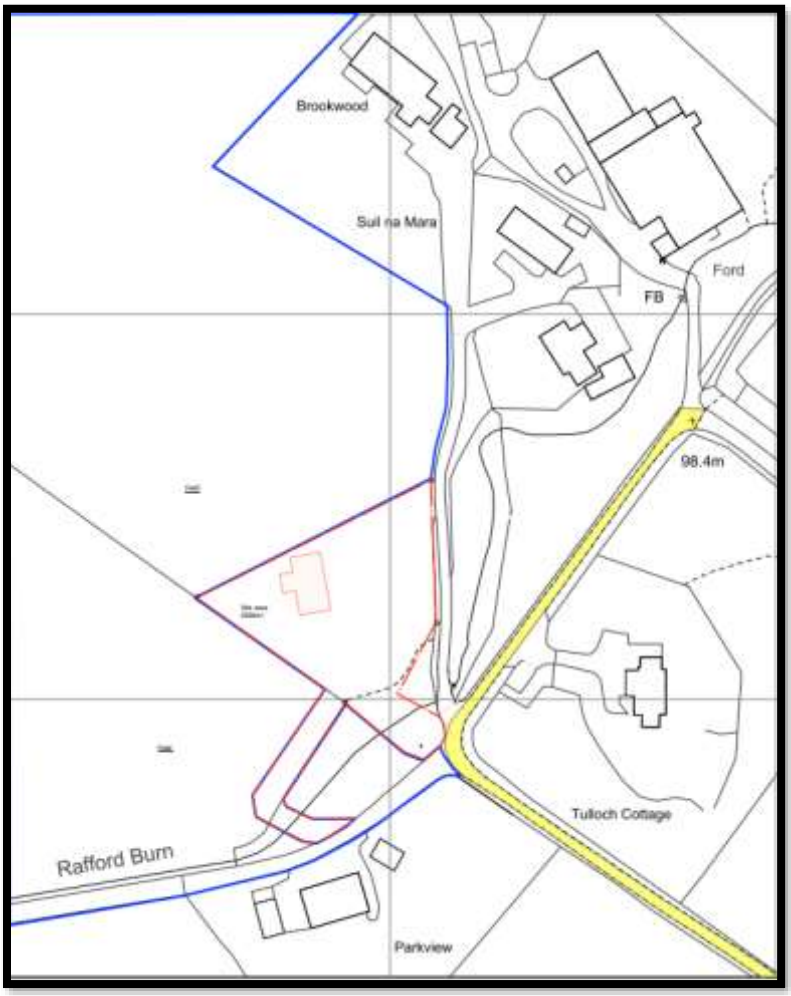

Plan 1: Site Location and Surroundings © PM Designs

Photo 1: Application Site from South-East Corner

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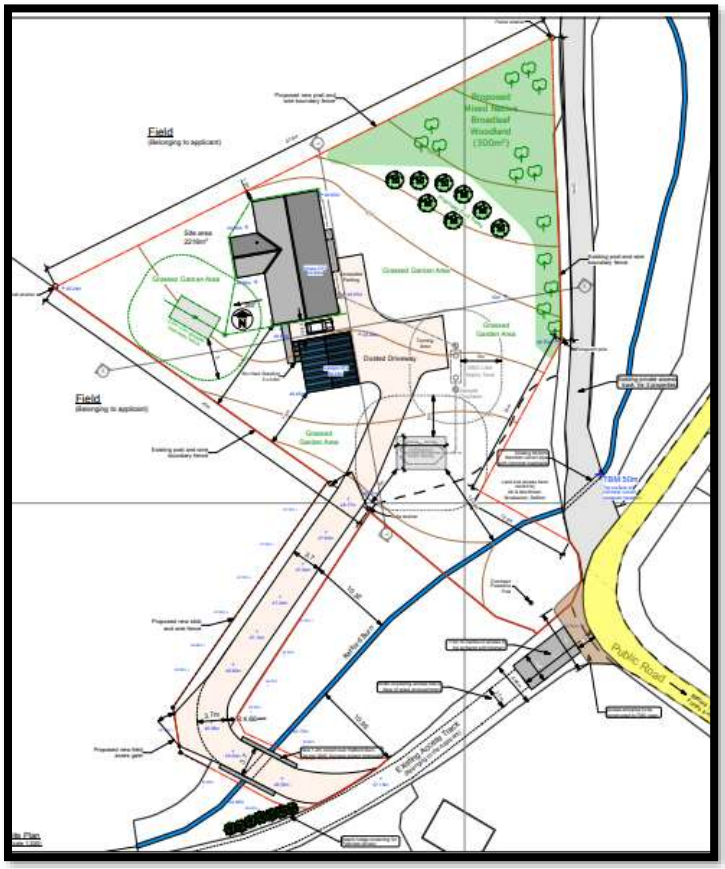
Siting and Design

The proposed house and garage are to be sited in the north-western corner of the site with the main front elevation facing east and the rear elevation facing west, all as shown on ***Plan 2.*** The south flank is the elevation faces the approach from Cloddach farm up the U102E public road.

As detailed in ***Plans 3 and 4***, the house is of a timber frame construction with pitched roofs. The house walls are to be finished with white K-render and punctuated by small areas of locally sourced tongue and groove larch timber cladding on the west and south elevations. The roof, with a pitch of 40.5 degrees will comprise reclaimed welsh slates with grey ridge tiles. The doors, windows, fascia, and barge boards will be grey uPVC. The extract pipes and guttering will also be grey.

The design incorporates a high standard of insulation and an air sourced heating system to make this an energy efficient home for the future. A wood burning stove will supplement the heating system in the colder months.

The double garage building is finished in locally sourced tongue and groove larch cladding. The roof is to be covered in slate blue planwell profile sheets. The fascia and barge boards are to be natural timber and the pipes/guttering are to be grey. The door and window are to be grey uPVC and the garage doors are to be slate blue to match the roofing.



Plan 2: Site Layout Plan © PM Designs

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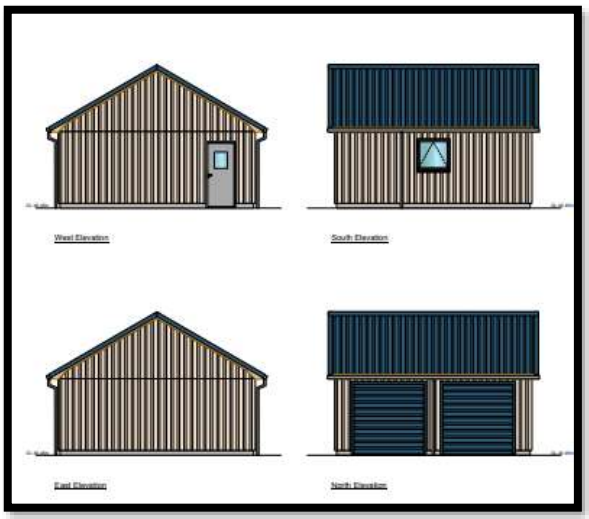
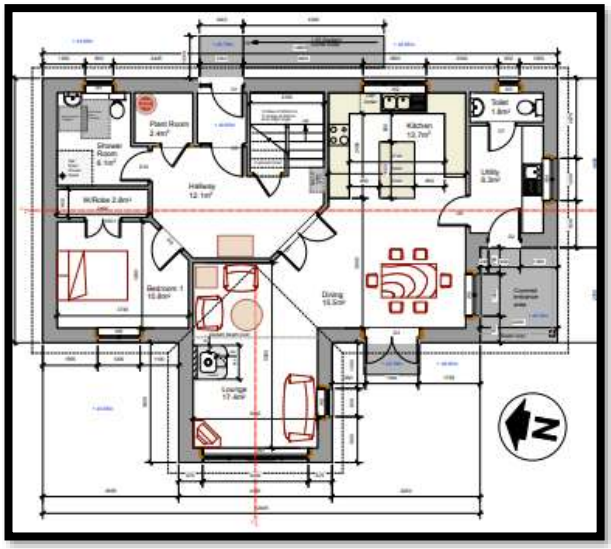
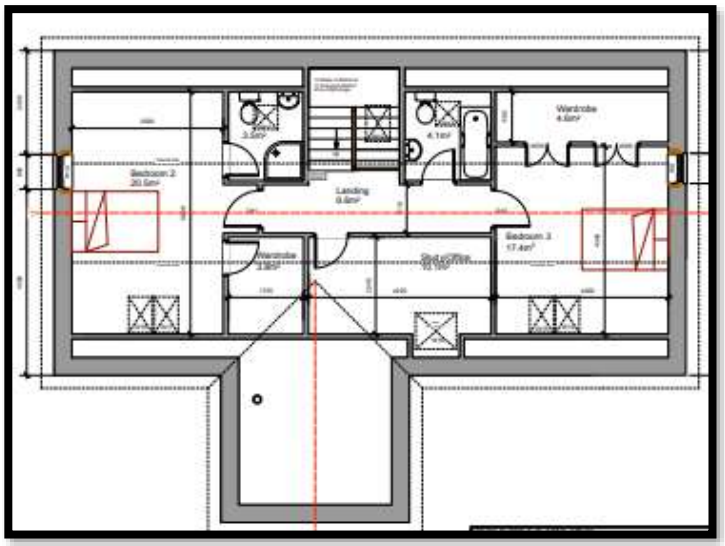


Plans 3 & 4: Elevations of Proposed House and Garage © PM Designs

Accommodation

As detailed in ***Plans 4 & 5***, the accommodation comprises one bedroom, shower/wet room, plant room, open plan lounge, dining and kitchen area, and utility room (with w.c) on the ground floor. On the upper floor, there are two further bedrooms (one with ensuite), bathroom and a study/office. Disabled ramped access is provided up to the main entrance. The house is built to accessible standards and provides for full accommodation, if required in the future at ground floor level.





Plans 4 & 5: Floor Plans for Proposed House © PM Designs

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Landscaping

The site is already bounded by woodlands on the north and east sides. The latter forms a varied landscape strip of trees and shrubs bounding the access track up to three residential properties: Brookwood, Sul na Mara, and Sourbank Farmhouse. The surrounding landscape is demonstrated in ***Photos 2 – 5.***

Photos 2 & 3: Existing Landscaping on Site Boundaries

Photos 4 & 5: Existing Landscaping surrounding the Site

To supplement this well-established mature and mainly evergreen landscaping, a 300 m2 mixed native broadleaf woodland area is to be created in the northern corner to provide 25% tree cover. In front of this an area comprising eight fruit trees will be planted. The woodland is intended to serve two purposes; screening the house from neighbouring properties using the access track as well as establishing a wildlife habitat, which will add to the biodiversity of this otherwise grassed area. The remainder of the garden will comprise grassed areas. (***Plan 2***)

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The driveway and turning area will be in the form of a dusted driveway and a footpath is provided between the house and the garage. A concrete hard standing is to be provided adjacent to the garage for the storage of four refuse and recycling bins.

The site will retain 'open' boundaries through the use of low key existing and proposed post and wire fences serving to ensure the retention of wildlife corridors.

Drainage

Following research of the SEPA Flood Maps, it has been established that the site lies outwith any areas of fluvial or pluvial flooding up to a 1:200 event.

A survey was undertaken by GMC Surveys to assess the suitability of the site and to provide a drainage solution for the new house. The survey is included within the application submission.

It was concluded that the natural ground is suitable for traditional strip foundations, designed in accordance with BS8 110 – Structural use of Concrete. Based on the investigations on site, it was confirmed that the underlying soils are suitable for the use of standard stone-filled soakaways as a drainage solution for foul waters.

As shown on ***Plan 2***, it is proposed to install a 6m x 4m infiltration soakaway and a 5.5m x 3m rainwater soakaway trench on site. There will be no overflow pipe towards the Rafford Burn.

Roads

Access would have ideally been taken from the existing track up to Brookwood on the eastern boundary of the site, thus reducing the length of access driveway. However, it has not been possible to enter into an agreement with the private owner of that track. An agreement for the provision and permanent obstruction-free visibility splay at this junction would also have been necessary to meet the requirements of Moray Council's Transportation Team.

Having investigated this at great length, no agreement has been achieved. SEPA had requested evidence of this and a letter has been provided to them from the applicant's solicitor, demonstrating that this option is no longer achievable. An alternative option has been explored and designed to access the site from the south. The proposal includes a new driveway being accessed from the track to the south, which is in the Proctor's ownership. (***Plan 2***) This has involved the need for a crossing over the Rafford Burn.

To ensure road safety, Moray Council's Transport Team has also required the following works:

- Visibility splays at the U102E and Track junctions
- Road widening and the provision of visibility splays at the U102E and B9010 junction

These works are detailed on ***Plans 6, 7 & 8*** respectively, and have been agreed with the Moray Council's Transport Team in advance of this planning application submission.

Photos 6 – 13 show the U102E/B9010 junction and ***Photos 14 – 17*** show the U102E/Track junction.

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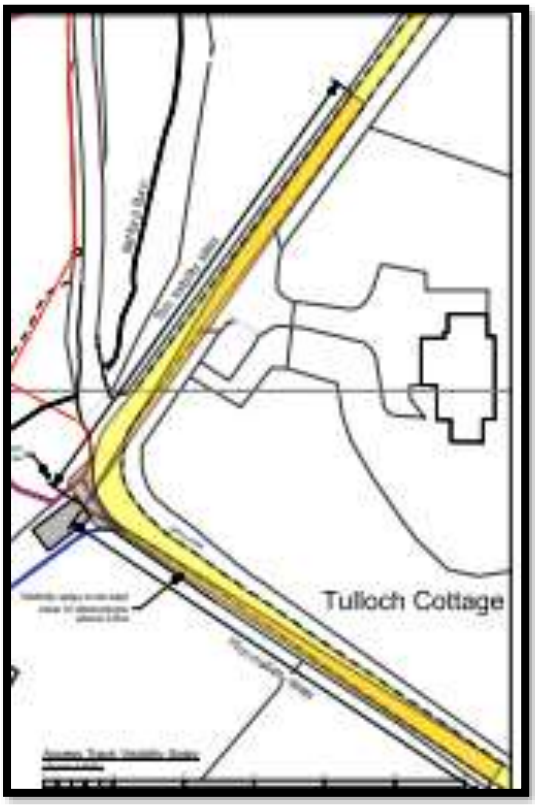
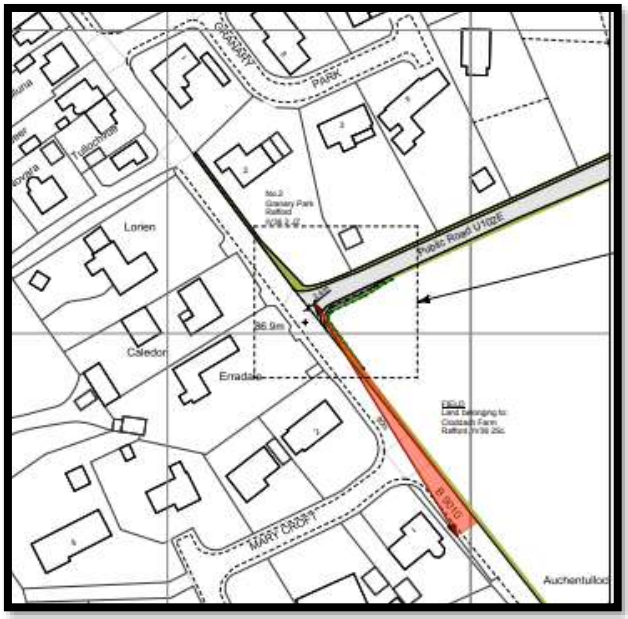
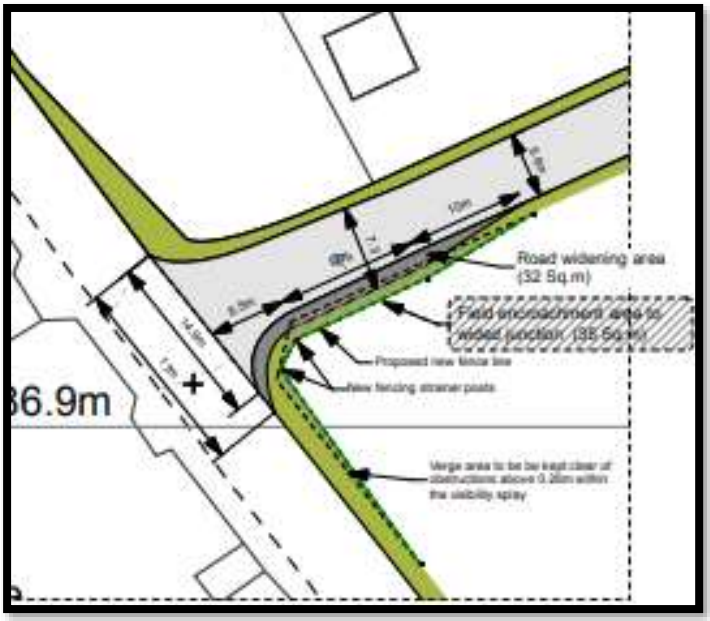


Plan 6: U102E and Track Junction (showing visibility splays) © PM Designs





Plans 7 & 8: U102E and B9010 Junction (showing road widening and visibility splays) © PM Designs

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Photos 6, 7 & 8: Approaching B9010/U102E Junction from East

Photos 9 & 10: Approaching B9010/U102E Junction from West

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Photo 11: Approaching B9010 from U102E

Photos 12 and 13: Emerging from U102E onto B9010

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Photos 14, 15, 16 & 17: Roads details: Junction of existing track onto U102E, the track and the junction with the proposed driveway

The Transport Team have been provided with the necessary documentation to demonstrate agreement from respective landowners to the road widening works on their land at the B9010 and U102E junction and for the visibility splay being provided and maintained (as shown in ***Plans 7 & 8***),.

Waste and Recycling Storage

A separate bin store has been provided on a concrete base (***Plan 9***). However, if required by Moray Council's waste collection, the bins could also be moved to be along with those already stored at Cloddach Farm, for ease of collection by Moray Council, as shown in ***Photo 18.***

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Plan 9: Bin Storage (shown by 4 coloured boxes behind garage) © PM Designs

Photo 18: Bin Storage at Cloddach Farm

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SECTION 2: BACKGROUND AND CONTEXT

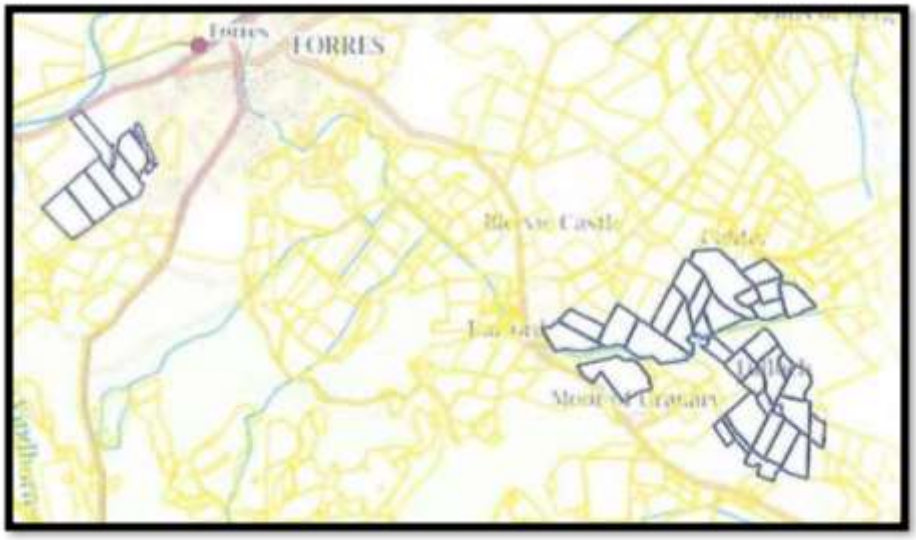
This Section provides a full background and context to the proposals. It outlines the full and detailed journey of the proposals from conception. This has been necessary to demonstrate that the proposals have been carefully and methodically developed in line with planning policies and national aims and objectives for the continuation of farming businesses in rural Scotland. All site and accommodation options have been considered in full and discounted for legitimate physical, logistical, and planning reasons.

The background details in this Section should be read alongside the in-principle argument in Section 3.2: OTHER MATERIAL CONSIDERATIONS.

2.1 BACKGROUND

There was originally a farmhouse at Sourbank but this has been in private ownership for over 40 years. Its sale was a necessity to allow the applicant, Mr G Proctor, to succeed his father in the farm business in accordance with the implementation of earlier succession plans. As a result, Mr G Proctor has run the farming business from Balnageith (shown on the left side of ***Plan 10)*** for decades.

Although not with every farming family, it is usual that through succession planning the retiring farmer would vacate the farmhouse in favour of the successor. However, in this instance this is not conducive to the future success and viability of this farming business. The location of Balnageith has not been ideal or efficient in business terms. As such the intention is for the retiring farmer to remain at Balnageith and a new farmhouse to be built in a more practical and sustainable location for the long-term future running of this farming business.



Plan 10: Farms within Proctor Family Partnership (c) Ross Proctor

His son, Mr R Proctor, has now grown up, gained the necessary qualifications, knowledge, and skills to enable him to succeed his father. Not unsurprisingly, Mr R Proctor has had to reappraise the farm business and look at efficiencies to take on this currently viable farm and ensure its future survival. Therefore, this proposal seeks to secure housing for the next succession of this family business to him, Mr R Proctor.

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2.2 RELEVANT PLANNING HISTORY

This section deals with the relevant planning history and demonstrates that this application is solely for the purposes to create an affordable succession house in accordance with Moray Council's vision to provide affordable housing to meet the housing needs of all sectors.

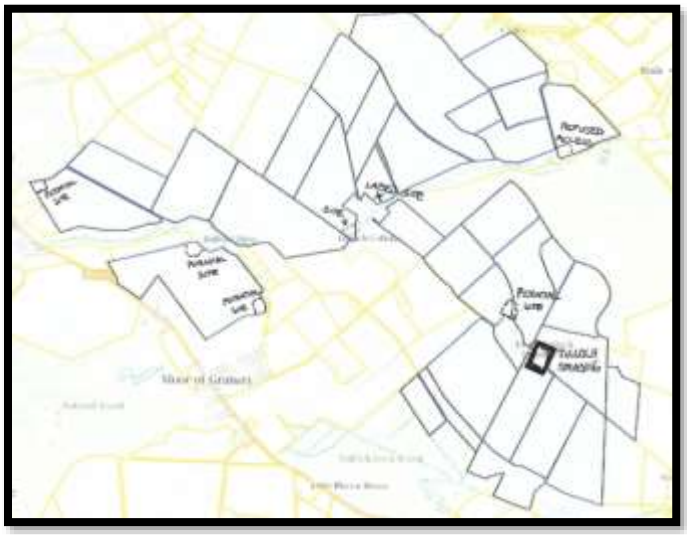
Whilst this background is extremely detailed, it has been necessary to demonstrate that the Proctor family have not just randomly picked a site to locate the new farmhouse, that there is no intention to erect a new dwelling for sale, and finally that the house is intended to remain within the Proctor family business. These plans have been carefully thought through over an extended period.

It is important to consider that over the last decade, the applicant, Mr G Proctor has invested heavily, in both time and finance, exploring various options for a succession house for his son, Mr R Proctor. This has included seeking planning advice throughout, the submission of several planning applications, and ongoing discussions with both SEPA and the Moray Transport Team. The latter engagement related to technical issues and have been overcome as detailed within this submission. However, there now remains one obstacle: planning permission in principle.

Pre-Planning Correspondence 2009 - 2013

Alternative locations across the farm grouping (***Plan 11***) have been explored over the years.

Whilst initially they were included in the search parameters, Mr R Proctor had to dismiss any vacant properties in the immediate vicinity as an option because the area is now too expensive for a farmer starting out in his career, whilst initially working alongside his father. The most available and financially viable is to build from new on their own land thus saving land acquisition costs and it is that option that has been the focus. The options available are dependent upon affordability and in this specific area, reliant upon the support of the Transport Team and SEPA due to technical roads and water management/flooding issues. These issues have ruled out many sites put forward for consideration at pre-application stage.



Plan 11: Farm Grouping (Sourbank, Granary, Burnside, and Tulloch) showing potential sites © Ross Proctor

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Several sites were considered as options but were all discounted due to the impractical long single access tracks, for visibility reasons following concerns from the Transport Team at Moray Council, and for difficulties with provision of services. Burnside was a potential, but this was discounted due to access being denied by a neighbouring landowner. Tulloch Steading was also considered but it is not central to the farm grouping and has a long single-track access making it impractical for farm vehicles.

During the discussions, the planning officer confirmed the following acceptable options in order of preference:

1. Conversion of the stone steading/mill buildings
2. Site north of the steading buildings (positioned to 'nestle' behind the buildings using the mature trees as a boundary enclosure)
3. Fill the gap between the dwelling at Brookwood and Park View forming a good landscaping belt to the western/southern end of the site

The three options were then explored in more detail by the Proctor family and sequentially in order of the planning officer's preference.

1. CONVERSION

There is a farm steading at Sourbank but this is currently used for livestock, it has access issues and therefore not available or suitable. It is essential for shelter and feeding. It is also too large for residential accommodation for one family. Even if the access were suitable, there is little merit in converting an existing building if that building then needs to be replaced for business needs. The adjacent derelict site at the steading also has access and utility issues ruling it out as a potential for suitable accommodation.

2. SITE NORTH OF STEADING

This option was explored through the submission of a planning permission in principle in 2009 (09/01676/PPP), followed by a detailed application in 2012 (12/01712/AMC). Finally, this was renewed in 2015 (15/01860/APP). These applications are detailed in ***Plans 12 & 13***. The last application has now lapsed and no longer capable of implementation without a new planning application being sought. Given its location, it would now meet with opposition under the same Policy DP4.

Plans 12 & 13: Site Plan 09/01676/PPP & Site Plan 12/01712/AMC

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Of relevance is that with the last approved application (15/01860/APP) these are the same policies that the current proposal was being assessed against, prior to its withdrawal.

In the appraisal in the officer handling report, it is stated that in terms of the principle i.e. siting and impact on landscape character, policies H7 and IMP1

"*stipulate that new housing in the countryside must reflect traditional patterns of settlement in the locality, be sensitively integrated into the surrounding landform using natural backdrops and not constitute obtrusive development. New houses should not detract from the character/setting of existing buildings or their surrounding area or create inappropriate ribbon development, nor should they contribute to a suburban style build-up of development to the detriment of the surrounding area. Sites should have at least 50% long established site boundaries and propose a minimum of 25% tree planting coverage.*

The traditional settlement pattern of the surrounding area is largely characterised by a grouping of existing houses, approved house sites and a farmstead which lie to the south and east of the site.

The proposed house site is nestled to the north of the existing farm buildings adjacent to existing mature woodland and therefore is not considered to constitute obtrusive development and will have little impact on the character and appearance of the overall grouping, nor is it considered to result in the suburbanisation of the grouping.

With the above in mind, the proposal is considered to comply with policies H7 and IMP1 in terms of siting and impact on the character of the area."

It is therefore of note that whilst the site is now designated in a Pressurised Area, it was acceptable in landscape terms. This is the point being made for this new proposal that it is not just about a line drawn on a LDP, the merits should also be considered.

It is understood that due to issues relating to bridging over the Rafford Burn, track improvements, changed operation of the farm together with the high cost of providing utilities to service the site, and family reasons, the planning permission was allowed to lapse. The applicant then started to look at the Sourbank gap site location, the third and final option available to them and originally supported by the planning officer.

3. GAP SITE

The only feasible and realistic remaining option available to the applicant was a new house to be sited on the gap site.

Planning application 19/01599/APP was submitted for the erection of a detached dwelling house and detached double garage at a site SW of Sourbank Farm. (***Plan 14***)

The site was chosen because it sat within a cluster of houses, was accessible from the main road and had easy access to the farm and cattle, particularly given its walking distance to the steading buildings for calving and general care when the cattle are sheltering indoors. It was also considered ideal because services are available close by allowing for connection to utilities.

19/01599/APP

Planning permission in principle (19/01599/APP) was submitted for the erection of a detached dwelling house and detached double garage at a site SW of Sourbank Farm on 10 December 2019. There was no recent

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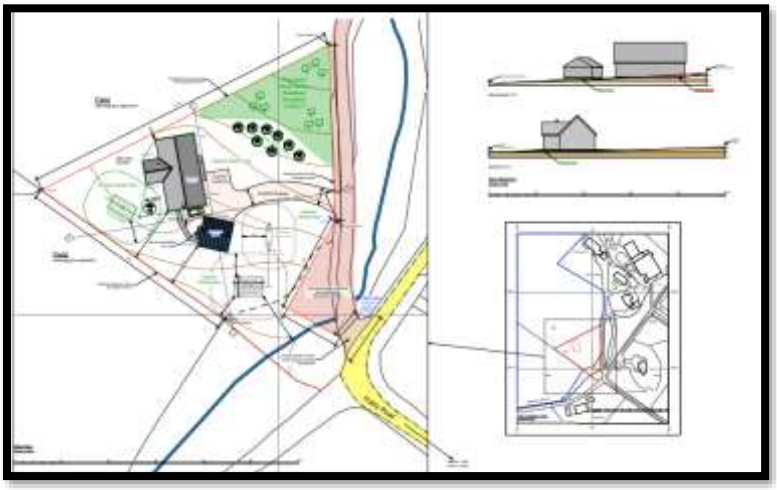
pre-application advice sought prior to the submission of the planning application as it was thought that the original advice would be honoured. This site, a gap site between Brookwood and Park View, had been positively mentioned in email correspondence with a planning officer in 2009.



Plan 14: Extract from Site and Landscape Plan © PM Designs

The application was not advertised as a departure by Moray Council and was subject to both public and statutory and Council consultations.

The existing use of the land was noted on the application form as being Agricultural Land (Livestock field). An altered vehicular access was proposed to access the new dwelling from the U102E Sourbank Road, with four parking spaces being provided. The land is owned by Graeme Proctor and the land constitutes or forms part of an agricultural holding.

The application submission comprised:

- Application Form
- Covering Letter and Design Statement
- Site Investigation and Drainage Report
- Location Plan
- Floor Plan, Elevation and Section Plans
- Site and Landscape Plan

No other supporting material was submitted, such as a policy assessment, landscape assessment or visualisations to demonstrate the suitability of the site in terms of the policy criteria.

Consultation Responses

In response to the public consultation, two letters of representation were received following neighbour notification of the planning application. These raised issues relating to: Potential noise from external air source heat pumps, Potential for poor water supply, Traffic increase, Inadequate waste storage and collection facilities, Access inadequate and bridge strength poor unable to cope with lorry/building traffic, Flooding of road impacting upon road safety, and issues relating to the septic tank.

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In response to formal consultations, the Moray Council Contaminated Land Team, Developer Obligations Team, Environmental Health Team, Flood Risk Management Team were all consulted and did not raise any objections and did not therefore support the majority of those issues raised by third parties.

However, the Moray Council Transportation Manager raised objections on road safety grounds (Policy T2 and IMP1) relating to restricted visibility splays onto the public road and potentially no way of undertaking the necessary improvements due to lack of control over the land required to provide the visibility splays.

Scottish Water advised that contact be made once planning permission has been granted.

Planning Responses

In response to the planning application, the planning case officer stated:

The above proposal is a departure from policies H7 and IMP1 of the Moray Local Plan 2015 and associated Supplementary Planning Guidance 'Housing in the Countryside' (2015) and Guidance Note on Landscape and Visual Impacts of Cumulative Build-up of Housing in the Countryside (2017). It does not satisfy the siting criteria. Within this area there has been a significant build-up of new housing within the last 10 years which has led to the erosion of the traditional character of the landscape in this locality. The approval of a further house plot in this locality would exacerbate this issue. Given these impacts, the proposal is considered to constitute an inappropriately located site which contributes to build-up of *development where the number of houses has the effect of changing the rural character of the area. The proposal is therefore going to be refused. If you would prefer for the proposal to be withdrawn please advise.*

With regards to the access issues, through the correspondence provided, it was advised that visibility can only be resolved if the Council were able to improve the junction and also subject to the permission and actions of other landowners in the area and the creation of a bin storage and bin lorry turning area being created at the site entrance rather than them being stored at Cloddach Farm.

This response was not expected by the Proctors, who had meticulously followed the planning advice and explored all the available options. They had explored the three options suggested by the planning officer. This being the last option, the Proctors were at a loss as to how to now succession plan for the future of their family business. As advised, the planning application was withdrawn on 24 March 2020.

My planning services were sought by the Proctors to establish if there was any way that a succession house on this site could be secured through planning. My initial advice was to re-engage with the planning officer to establish exactly what the issues were and then to explore whether there was a way forward.

Post-Pre-Application Discussions

Post-decision discussions have taken place with the planning case officer and the Transport Team.

Having amended the access element of the drawings, further discussions took place. The following was explored:

- the background to the request for withdrawal of application 19/01599/APP
- an explanation regarding the background and merits of the proposals

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- whether a case based on keyworker, affordable, farmer accommodation with specific geographical needs had potential
- what the reasons for objections to the proposals were
- whether there were no other reasons for concern that needed addressing

The response was as follows:

Access

The planning officer explained that had the application not been withdrawn it would have been a straight-forward refusal on access and the build-up of housing in the countryside. The Council are unable to relax matters where they relate to road safety since the Council could become liable for any accidents that occur in the future resulting from their advice. It was confirmed that the Transportation Team would look at the revised drawings and would only withdraw their objection if they were satisfied on road safety grounds. Due to problems over the years, the Transportation Team would not only require drawings to demonstrate that visibility could be designed into the scheme, but also they would require details of deliverability to be submitted with a planning application, i.e. proof that the drawings had a realistic chance of being implemented. Discussions followed regarding what mechanism would be needed to demonstrate proof. An agreement between landowners and a clause in the deeds was deemed necessary.

Build-up of Housing in the Countryside

The planning officer confirmed that there were no policy exceptions in the Moray LDP that would allow a farmhouse to be built in this location. However, there was an understanding that this was a special case with specific needs. Whilst the officer was unable to state one way or another whether an application based on the supported case for farmer's affordable accommodation in this location would be successful, they did not appear to be ruling out the option of presenting a case for consideration. An application was not directly encouraged but neither was it strongly discouraged. Moray Council would need to look at the full case put forward before concluding.

The planning officer raised no other concerns regarding the planning application.

After this initial discussion, further engagement took place with the Transport Team, who have now confirmed that the main access and the new access are acceptable. The final drawing reflects the agreed position with the Transport Team. As such the technical matters have now been resolved.

To deal with the in-principle objection, Bowlts have prepared an Agricultural Needs Assessment, which together with arguments presented within this Statement, demonstrate the need for an affordable dwelling for farming succession in this location, thereby promoting this application as being acceptable as a departure to policy.

Conclusion

The Proctors have decided to re-submit this application, supported by a robust justification and a comprehensive assessment of the proposals against all the policies in the Moray Local Development Plan 2020 (MLDP20). The intention is to demonstrate that there are no legitimate planning reasons to refuse this application.

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As stated, having exhausted all other options, this is now the final and only option available to the Proctor family to ensure that this farm continues as a business. If this application fails on a technicality and the material considerations are not considered, there is no affordable accommodation for Mr R Proctor locally and the family business will cease with the retirement of Mr G Proctor.

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SECTION 3: POLICY ASSESSMENT AND MATERIAL CONSIDERATIONS

3.1 PRINCIPLE OF THE DEVELOPMENT

General

It is a legal requirement that all planning applications must be considered on their own planning merits against planning policy as well as other material considerations.

Having established the status of the land use of the site and described in detail the site and its surroundings within Section 2 of this Statement, it is appropriate to assess the principle of the future development of this site against the relevant policy framework.

The primary document for those decisions is the Local Development Plan, in this case the Moray Local Development Plan 2020 (MLDP20). However, both national and regional policies provide visions, objectives and aims for policy making in Scotland and reference is made here to any relevant policy statements that promote the approval of this proposed development.

Whilst it is accepted that planning policy cannot be drafted and adopted to cover every development related eventuality or situation, it is required to be flexible. This is not a new situation for which planning policy needs to play catch up. Farming businesses have been handed down through families for time immemorial. The affordable housing needs of the farming sector in rural areas is well known and planning policies should already be in place in all rural areas to support the operational needs of farming businesses and that here is an inherent flexibility within those policies. The housing needs of the farming sector are quite simple and easy to facilitate through planning policy. Planning policies should not be adopted to deliberately omit options or put in place obstacles to prevent this historical established succession practice.

This Statement seeks to demonstrate that the current local policy and its interpretation is unreasonable and extremely inflexible for this succession situation, which must be commonplace in this rural area but has no applicable policy. There should be policies allowing succession planning for farmers. There is none in the MLDP20. As such it is incumbent upon Moray Council to address this situation through allowing exceptions to policy. In their decision-making, there is not just two options of either approving or refusing this application using the strict letter of the policy wording. There remains the option for Councils to approve contrary to their Local Plan policies providing it is justified by material considerations. They could also treat their decision as a departure from adopted policy. It is the applicant's contention that this is a case that justifies a departure from the adopted policy in MLDP20.

First, the case for this proposal starts with the policy, its wording and purpose. The proposals must then be assessed against the policy to establish whether it complies or not.

National policy and guidance are outlined in the National Planning Policy and Scottish Planning Policy; both published in 2014. The adopted policies for the Moray area are now outlined in the Moray Local Development Local Development Plan (MLDP) 2020.

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National Planning Policy

NATIONAL PLANNING POLICY 3 (NPP3)

NPP3 provides a statutory framework for Scotland's long-term spatial development. The overall planning vision is to have growth that can be achieved that respects the quality of environment, place, and life. It seeks to ensure sustainable growth in Scotland and to create '*sustainable, well-designed places and homes which meet our needs.*'

Increased population growth is vital to sustain rural communities and therefore NPP3 seeks to ensure that development in rural areas is not unnecessarily constrained and sees a continuing need for new housing and a flexible approach in achieving this.

This development to provide succession housing is necessary to meet a specific housing need. A flexible approach to considering this application is in the spirit of NPF3.

SCOTTISH PLANNING POLICY (SPP) 2014

SPP provides the policy framework to deliver the objectives of NPP3.

One of the core values and policy principles is that the planning system should be plan-led. The goal of SPP is a Scotland with a strong economy, homes, jobs and a "*good living environment for everyone*.'

Outcome 1 of the SPP is "A successful, sustainable place" supporting sustainable economic growth and regeneration.

Outcome 2 of the SPP is 'A low carbon place' to be achieved by reducing our carbon emissions and adaption to climate change.

Through these stated Outcomes, the SPP is therefore in general support of the proposed application in that it seeks to provide an affordable home to support continued sustainable economic growth and regeneration of this well-established farming business, whilst reducing the need to travel and therefore adapting to climate change

Another policy principle of SPP is that development should be design-led; achieved through directing the '*right development in the right place*.'

SPP is of direct relevance to this application since the '*right development'* on this site within the heart of the Sourbank farm holding is residential.

It is clear from the stated national policies that although the MLDP20 is newly adopted, it has failed to address a specific housing need in its policies. It fails to take on board the link between the provision of housing with a geographical need and sustainable economic growth, sustainable development, and adaption to climate change. It is therefore technically out of date with national requirements. This is a minor departure from those adopted policies but fully in accordance with national policy.

Local Planning Policy

Moray Local Development Plan 2020 (MLDP20)

MLDP20 was formally adopted on 27 July 2020.

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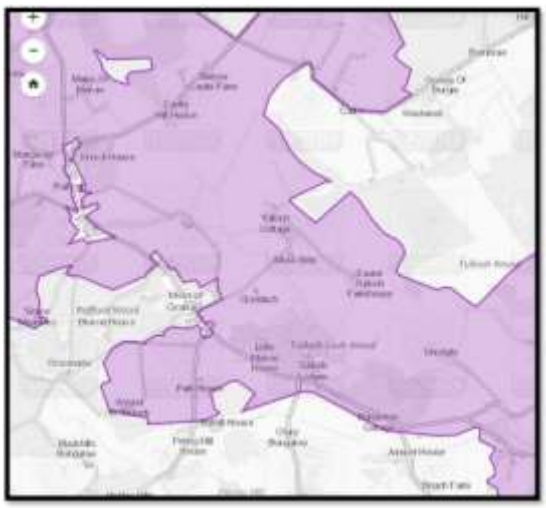
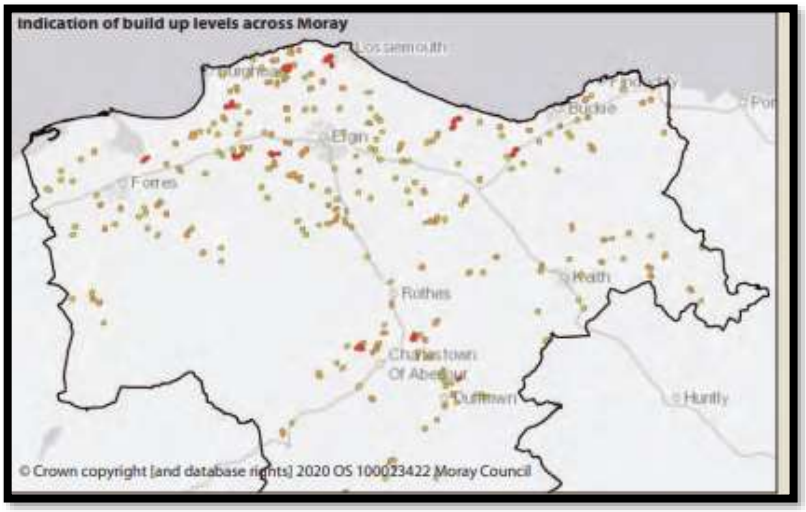
This Statement will demonstrate compliance in principle and in detail with MLDP20 planning policies and provide a robust case for this proposed housing development at Sourbank.

The vision of the MLDP20 is '*to provide a generous supply of housing land to meet the needs of various sectors of the market.*' In the introductory section, it is clearly stated that '*providing affordable housing is a key priority for the Moray Council.'*

Housing can be built in towns, settlements and within Rural Groupings (where housing is specifically mentioned). Whilst there remains policy backing to build individual houses in the countryside, these must be outwith the designated pressurised and sensitive areas (PSA's) (***Plan 15***) and must comply with a long list of criteria based on the actual identified pressurised areas shown on ***Plan 16.***





Plans 15 & 16: Extracts from Interactive Proposals Map and MLDP Guidance: MPDP20 (c) Moray Council

The relevant policy for deciding planning applications for housing in the countryside in MLDP20 is:

<u>POLICY DP4 RURAL HOUSING</u>

A rural hierarchy has been identified in the policy whereby rural housing is initially directed to allocated rural groupings, followed by the re-use/replacement of traditional stone and slate buildings in the countryside and then lastly to the open countryside. The policy is also specific that where proposals meet the locational requirements, all proposals must meet the general siting and design criteria to ensure that there is low impact and the house is of a high design quality, integrates sensitively into the landscape and reflects the rural character of the area.

Detailed policies are set out outlining the criteria if the house is to be sited in a rural grouping or is a re-use/replacement. Of most relevance to the current proposal is section (d) of this policy which relates to New Houses in the Countryside. Any development is now limited to a single house and,

due to the landscape and visual impacts associated with build-up and landscape and environmentally sensitive areas, no new housing will be permitted within the identified pressurised and sensitive areas

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The policy is clear that no housing will be permitted within the identified pressurised and sensitive areas (As shaded purple on ***Plan 15*** above for the area around Sourbank). There are no given exceptions to this policy. There is no flexibility for applying this policy to any housing in this defined area.

Further justification is provided on page 52 of MLDP20, which states that:

In Moray there are identified locations where the cumulative build-up of houses in the countryside has negatively impacted on the landscape character of an area. To assist in addressing this, pressurised areas have been identified that restrict further housing in the open countryside.

A more detailed set of siting and design criteria are outlined for those houses in the intermediate area of pressure.

Thereafter, the introduction to the Policy Guidance Note on Cumulative Build Up (provided on page 53 of the MLDP20) states that:

Cumulative build-up of rural housing is occurring across Moray, this can take the form of sequential build up when travelling through the area, the concentration of new houses in an area that overwhelms traditional buildings and identifiable clusters of suburban development.

To help identify where build-up is becoming an issue and having unacceptable landscape and visual impact, siting and design indicators have been developed to demonstrate where and how this build-up is causing harm to the landscape. There is a plan accompanying this section, but it is impossible to identify the sites in terms of overlaying them on the designated Plan. However, the dots shown on the plan do not reflect the swathes of purple on the designated plan and appears to apply a protection to extended areas without justification. ***Photo 20*** was included in MLDP20 to demonstrate the harm being caused.

The siting and design indicators are as follows:

Siting Indicators

- *The number of new houses overwhelms the presence of older buildings, such that new houses are the predominant components of the landscape and the traditional settlement pattern is not easy to perceive.*
- *The incidence and inter-visibility of new houses whereby these are a major characteristic of the landscape.*
- *There is a prominence of new houses from key viewpoints such as roads, adopted core paths or long-distance paths and existing settlements.*
- *There are sequential visual effects of cumulative build of new housing experienced when travelling along roads in the vicinity of the site.*
- *New housing would result in ribbon development by effectively joining up concentrated clusters of development contrary to the traditional dispersed settlement pattern*

Design Indicators

- *The rural character is eroded by suburban features such as accesses built to an adoptable standard (rather than gravel tracks) and large bin storage areas at the end of tracks required to serve the numerous houses.*

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- *The scale and proportion of new houses contrasts to the generally smaller size of older buildings, cottages and farms and results in the development being out of keeping and incongruous in its setting.*
- *There are numerous incidences of open prominent elevations that are visible in the landscape and are orientated for views, in contrast to the traditional settlement pattern.*
- *A new architectural design is prevalent which has overwhelmed the older vernacular style.*

For a single new house to be acceptable in principle, it must be located outwith the purple areas shown on ***Plan 15.*** A long list of siting and design criteria, which are set out on pages 46-50 of the adopted LDP do not apply and are for housing within the purple areas. Presumably, this lack of connection between the criteria with the restrictive designated PSA is to reassert that there is no flexibility for any house development within those areas.

This policy is a housing policy. However, its key driver is clearly landscape protection given the guidance provided. The impact upon landscape is therefore THE TEST for the acceptability of the proposals.

However, irrespective of this driver, in applying the strict policy to the proposal, the only test as drafted is singular requirement: Is the site in a Pressurised and Sensitive Area (PSA): Yes or No If yes, then there is no housing allowed with no exceptions. If No, then the house is permissible in principle providing it fully complies with a set of detailed siting and design criteria apply.

The proposal site is within the designated PSA, as shown on ***Plan 15.*** No housing development is therefore allowed planning permission within this area purely because of its location in this somewhat randomly defined area (as indicated by the difference between the dispersal of dot locations and the extensive designated PSA). (***Plans 15 & 16***.)

As stated above, this policy is landscape driven. It is important to therefore point out that the site does not fall within any formal landscape designation, e.g. Area of Great Landscape Value. It is not of any particular special quality requiring such restrictive policy to be applied.

It can be concluded on this restrictive test that the proposal is not acceptable in principle. It is in the wrong area regardless of the actual landscape context and any proven landscape impact.

Landscape Assessment

Introduction

Given the guidance it is considered that the following are considered also to be appropriate key policy tests in this case regardless of the dead end of the 'No' development cited in Policy DP4:

- Whether the proposal triggers any of the siting and design indicators?
- Whether there is an unacceptable landscape and visual impact on the countryside?

It is important to ensure that any landscape assessment is not solely based in 2D format using an OS extract or plans. Landscape assessment is a visual tool and should be in 3D and experienced in person in the actual context of the landscape. This assessment has been carried out in the field.

This assessment will consider and apply the following tools before concluding there is no impact on the landscape resulting from this development:

- SNH Review

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- Siting and Design Indicators
- Siting and Design Criteria

SNH Review

Reference has been made to the Scottish Natural Heritage Landscape Review 101: Moray and Nairn Landscape Assessment 1998.

For descriptive purposes of their Review, the site is located within the Rolling Farmlands and Forests. The predominant land use is agriculture. The landscape is diverse with mixed woodlands, scrublands, and irregular rolling pastures, which are intercepted by many traditional farm buildings, *often partially set within woodland backdrops.*

The Review advises that within areas of open agricultural land there should be an avoidance of increasing isolated new housing ***….*** *instead group houses close to an existing property or as a small cluster of houses.* Housing should be located within small enclosures and largely visually contained by woodland taking advantage of any screening from existing woodland and undulating topography or in small gap sites. Development should avoid disrupting the smooth horizons of the more open hill slopes by designing the housing to be long and low in character. Access roads should avoid a suburban appearance.

In general terms, the Review advises that new built development could be sensitively accommodated within many parts of the study area. It should be appropriately sited and designed. Using materials which fit within the landscape and particular care needs to be taken to conserve the setting and character of existing settlements. Good planning and design guidance need to be consistently enforced throughout the study area. It is this approach rather than a carte blanche restriction on development that is more appropriate.

This detailed and general advice given at national level is directly relevant to the appraisal of this proposal. Good planning is also about dealing with proposals on their own individual merits and not about saying no without planning reason. In many cases, providing appropriate siting and design is applied, a proposal may be acceptable without harming the landscape.

The advice provided by SNH for this area has been applied and found to be acceptable. The house is not proposed on an isolated site but within a group of established houses, which already fit within the landscape. The site takes advantage of the natural landscape. It is surrounded on two of its three sides by mature woodland and landscaping and set against a backdrop of large areas of mature woodland.

The following appraisal against the siting and design indicators and criteria demonstrate that the proposals have been appropriately sited and designed.

Siting and Design Indicators

Using the Siting and Design Indicators as landscape assessment tools, compliance with policy will be ascertained demonstrating that none of them are triggered because of this proposal.

Several photographs have been taken of the site and surrounding area from various viewpoints to demonstrate that no siting or design indicators are triggered.

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Photo 19: Photograph showing general close-up view of Sourbank Farm

The siting indicators are not mutually independent and do overlap. To avoid repetition, the following assessment deals with the siting indicators and then the design indicators as a group rather than individually.

Siting Indicators

Photo 19 shows the roof of the large open farm building at Sourbank at the back of the current housing cluster and largely hidden by the woodland. Only three of the 'cluster' of houses in the vicinity are visible from the public road approach and fit within their wooded and shrub backdrop. Similarly, the proposed house will nestle in with the established cluster, immediately behind the house (Parkview) in the foreground, as suggested as being appropriate by the SNH Review.

Photo 20: (NOT THE APPLICATION SITE) Extract from MLDP20 (showing an example of undesirable build-up)

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Photo 21: View of Site from approach road, near Cloddach Farm

When carrying out a direct comparison of ***Photo 21*** and that provided in the MLDP20 guidance (p. 53) as ***Photo 20*** here, it is evident that the development of this site within this small cluster of existing housing has no comparable impact upon the character of the area. Any impact will be negligible. The new house will not 'overwhelm' the presence of older buildings nor will it become the predominant component of the landscape, which will remain rolling woodlands and forest as shown in ***Photo 21.*** A visualisation (Visual Impact by PM Designs) has been submitted to further demonstrate this point.

There will be no incidences of intervisibility caused by the proposed house development since the houses are separated by the road and tracks and face in different directions in the landscape. This is evident from the OS plan assessment. See ***Plan 1.***

No joining of Clusters would occur forming a ribbon effect on the road. This is also evident from the OS plan assessment. See ***Plans 1 & 2.***

There will be no predominance of the house when viewed arriving at the site from the B9010 and U102E public roads as indicated by the Visual Impact submitted and the following series of photographs taken whilst approaching the site from the main B9010 junction up the U102E. In each photograph/view, the site and the cluster of existing houses is barely visible, with the natural landscape of rolling irregular fields and woodlands being predominant. Neither is there a sequential visual effect of any cumulative build-up evident from viewing the site when travelling in the surrounding roads.

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Design Indicators

The existing track is shown in ***Photos 14 - 17*** in Section 2 and in ***Photo 22*** below.

Photo 22: Existing Access Track

The final part of the access road to the proposed house will lead from this track over to the right and up through the field. The rural character will not therefore be eroded by suburban features.

The scale and proportion of the new house is minimal compared to some of those adjacent. It is a modest single storey (with roof accommodation) 3 bedroomed property with a height of 6.74 m. It is low and long, as suggested as appropriate by the SNH Review for this landscape. ***(Plans 3 & 4)***

The proposed house will be sited with the front facing east and the rear facing west. It is of a traditional design with no open prominent elevations and will not be visible within the landscape (as shown by the series of photographs above dealing with siting indicators). There is no traditional settlement pattern in this location to dictate appropriate orientation. The building is orientated to maximise solar gain.

The design of the building is of a traditional bungalow with appropriate proportions in terms of roof, walls, windows etc. It would not therefore stand out or overwhelm the older vernacular style, of which there are no houses in the immediate vicinity.

It can be concluded that the proposal does not trigger any of the siting or design indicators and therefore the location is appropriate for housing development. These indicators are intended to identify a potential build up that may have an unacceptable landscape and visual impact. The lack of any identification of indicators for this site demonstrates that there would be no resultant cumulative build-up of rural housing resulting from this proposed development.

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Siting and Design Criteria

Whilst Policy DP4 provides siting and design criteria for housing in the Areas of Immediate Pressure, this logically does not apply to housing in the Pressurised and Sensitive Areas, where it is stated that no housing is permitted. However, notwithstanding this negative policy, the proposals have been designed to fully comply with those criteria as follows:

Siting Criteria ***(See Plan 2)***

- The site is bounded by woodlands and a landscape strip to the north and east accordingly
- The house is located within a rural cluster and therefore does not create ribbon development. For the detailed reasons demonstrated within the landscape assessment, the proposal does not contribute to an unacceptable build-up of housing or detrimentally alter the rural character of the area. It is not prominent in its location and is not adjacent to the roadside
- There has been no artificial mounding, cut and fill and/or clear felling of woodland to create this plot. It is an existing open field
- The proposal includes over 25% landscaping with native tree species, in excess of the 15% required. The landscaping does not impinge upon sightlines and is located a safe distance from the house and garage buildings. They are positioned in the north east to maximise solar gain.

Design Criteria ***(See Plans 3 & 4)***

- The height of the roof is 6.75m
- The main form of the house is of simple design and of appropriate scale and massing and composed from simple well-proportioned symmetrical elements. There is no excessive detailing such as gable features or balconies.
- There is no artificial stone detailing. There are only two primary external wall finishes – timber and render
- The pitched roof is 40.5 degrees (within the 35 – 50-degree parameter) meeting the requirements of the gable/pitch formula
- The windows have a vertical emphasis.
- Boundary treatments are traditional post and wire fencing
- The access arrangements are of a traditional rural design avoiding over engineering and follow the field boundary to the south

All the siting and design criteria set out for the intermediate areas of pressure have been satisfied demonstrating that there will be no impact on the landscape resulting from this proposed development.

Conclusion

National planning policy and the vision within MLDP refer to the need to provide housing for all sectors and to promote the rural economy. There is general in principle support for a single house for the purpose meeting a genuine housing need, which in supporting this farming business to progress is promoting the rural economy.

The purpose of Policy DP4 is to control development in the countryside, which is not considered to be sustainable if allowed to cumulatively build up and have a detrimental impact upon the surrounding countryside. The driver behind this policy is landscape protection.

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Moray Council concludes that in the PSA there will be an unacceptable build-up of housing, detrimentally impacting upon the landscape. It has been demonstrated using the above thorough landscape assessment, using the SNH Review for the area and indeed Moray's own adopted criteria (siting and design indicators and siting and design criteria), that there would be no unacceptable landscape and visual impact upon the surrounding countryside. This is visually demonstrated by the photographic evidence above, the Visual Impact submission, and specifically the direct comparison of the proposed site shown on ***Photo 21*** against the demonstrated impact to be avoided shown in ***Photo 20.***

It is of significance that only two issues have been raised regarding these proposals: the principle and the roads issues. The principle has been solely based on policy DP4 regarding the location of the site. No negative feedback has ever been provided regarding the details of the proposal in terms of the siting and design. This suggests that if the DP4 locational barrier were lifted, there would be no objections to the siting and design of this house.

3.2 OTHER MATERIAL CONSIDERATIONS

General

Significant concerns are constantly being raised by farming bodies (e.g. NFU Scotland, Rural Housing Scotland) and through national professional press (e.g. The Scottish Farmer) with governmental sympathy regarding the lack of consideration given by associated policy makers to the worsening in availability of suitable affordable housing for succession planning. This is a problem that is already escalating and likely to get much worse in the future.

The shortage of affordable housing in rural areas is well documented including an article by Gordon Davidson entitled 'Scotland's Rural Housing Crisis' in The Scottish Farmer, March 2019. Rural Housing Scotland have advised that rural areas "*will never unlock their economic potential while there isn't enough affordable housing for working age people to live in*." One of their policy requests is that they want to "*ensure local planning authorities develop positive and flexible planning policies to deliver rural affordable housing*."

Barclays Bank, about rural farming businesses, have advised that "*having no succession plan for the future of the business can leave the business open to increased risks and uncertainties*"

"*This transfer of business control and ownership to the next generation is one of the most critical stages in the development of a farming business*" according to Savills call for an explicit recognition of succession housing for rural businesses in the emerging NPF4

Policy Background

As stated, MLDP2020 Policy DP4 does not allow for any exceptions for housing. Yet it is a statutory requirement that planning decisions should be based on the merits of the proposals and to consider material considerations. Aside from the policy appraisal above, there also needs to be another planning assessment, which is based on a strong material consideration in this case.

Is this proposal for a legitimate functional need, providing affordable housing for a well-established and viable rural farming business, having positive benefits in securing its long-term future in the countryside?

This assessment will be considered here and conclude with yes.

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Both Scottish planning policy and Moray planning policy already express a desire to ensure the resilience of the Scottish rural economy. Their policies are also already clear that housing development in principle should be provided for all sectors and all the needs of the community. However, there is an omission because this is not followed through in their detailed housing policies within MLDP20. Unfortunately, although farming continues to be a significant component of the Moray rural economy, there are no policies in the MLDP20 to assist the farming sector with their housing needs.

In Moray, policies are too restrictive to enable these specific needs to be met and all housing is mainly restricted to settlements/rural groupings. It is a fact that farms are not conveniently located in settlements/rural groupings. Shelter Scotland in its 2014 report: Planning to meet the needs: Delivering affordable housing through the planning system in Scotland, states that it believes that *"houses built outside settlements may well meet the needs of people living locally in the rural community, particularly those in farming families."*

Whilst it is accepted that there is increasing pressure for housing for A N Other to be built in the countryside with no specific links to the area or any locally specific needs, this should not be prejudicial to the genuine housing needs for farmers who have no choice but to live where they work.

It is of note that in a recent decision by Moray Council on application 19/01031/APP using Policy DP4 in MLDP20, also involving a housing need for a farming family, that there was significant sympathy from local Councillors regarding the matter. The vote at the Local Review was 50:50 with the Chair's casting vote making the final decision for refusal. At that meeting it was apparent that the difficulty some Members had was that they had no evidence having been submitted to allow them to make an alternative decision. It is the intention of the supporting facts and evidence in this Statement to provide officers (and Members should it be necessary) with all the relevant information that is needed to make the alternative decision of approval in this case.

The housing needs of farmers is not generally understood, and this is perhaps the reason that policies are not always included in LDPs. Although it is interesting to note that the adjoining Council areas: Highland and Aberdeenshire, which are similarly predominantly rural in their character, do include policies for succession planning and for agricultural workers. The following outlines the relevant facts about succession planning in farming businesses.

Background to Succession Planning in Farming

The farming sector is unique in terms of any business within rural areas and are one of the few businesses that embrace succession planning. The uniqueness of the needs of farming businesses is a material consideration in the determination of this application.

Farming is a business that is family run. The life cycle and succession of members of those families is a key component to their success. Inevitably older family members must retire; albeit traditionally they have a longer working life than most professions. Younger members of the family will take their place. There is a transition period during which older and younger family members work together. The workload/hours decrease and increase accordingly. Not only does this allow the business to continue but it also allows continuation of support and advice for the younger farmer and a reciprocal provision of care for the older farmer.

Family members cannot all live in one property. As families expand, they need their own separate accommodation. The need for and type of accommodation for those family members is also unique.

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Farming is also about working in a specific location. It is not possible to just build another farm in a different location close to housing. Family members cannot just rent or buy any house off the market or indeed present themselves to the Council for assisted housing in any location and commute, as is the case with most other businesses and employees. Their needs are unique due to the requirement to be on site 24/7 to respond to emergency events, for example, animal husbandry. Their working day is not the usual 9-5 involving the shutting of premises and going home. It is long involving ad-hoc, unsociable hours and weekends. They need to work efficiently within those hours and avoid unnecessary time wasting. In summary, they need affordable accommodation on the farm to avoid time and money spent commuting.

Material Case for Sourbank

Nothwithstanding the lack of policy in MLDP20 to deal with succession planning in farming businesses, even if there had have been a relevant policy it would still be for the applicant to demonstrate that there was an actual housing need. The following presents a detailed case demonstrating a functional need for affordable housing for Mr R Proctor at Sourbank.

The material case for Sourbank is based on both the findings of Bowlt Agricultural Needs Assessment (October 2020) and a complementary detailed assessment of the following:

- Facts
- Affordability
- Functional Needs

Bowlts report and the details outlined in this Section of this Statement should be read in tandem.

Facts

First, whilst it is inevitable that suspicions will arise when an application is submitted for housing in the countryside, it is worth pointing out the following facts for consideration:

- This farming business is a viable entity and is currently run by Mr G Proctor and Mr R Proctor, who carry out all operations.
- This is not an application for a house for A N Other in the countryside.
- The Proctors have acknowledged the importance of their family and community responsibilities and embraced the need for succession planning for their farming business
- There is no alternative accommodation within the ownership of the Proctors which has been sold that could have been used.
- There are no other development opportunities on the land within the Proctor's ownership
- This proposal is based on the specific needs of this farm and not any personal preferences of the Proctor's.
- Provision of a new house for Mr R Proctor is not just a nice thing to have it is functionally required.

This application should be considered based on this honest and open submission, which is for an established farming family to plan for succession of their business to the wider benefit of the rural economy and the local community.

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It has already been demonstrated that this is a bona fide farming family and the Proctors are now in their 4th generation of family members who have farmed the area. It has already been stated that the son, Mr R Proctor lives with the father, Mr G Proctor and that he needs separate accommodation to continue the farming business. It should not be reasonably expected that Mr R Proctor should continue to live with his partner (and future family) in his father's house other than in the very short-term whilst arranging his own accommodation. It has also been demonstrated that the Proctor family have taken their responsibilities seriously and spent a decade going through all the available site options as outlined in SECTION 2: BACKGROUND AND CONTEXT.

Affordability

The case for this farmhouse for the Proctors needs to outline the affordability aspects within succession planning for this farming business.

Mr R Proctor is in his twenties and at the beginning of his farming career. He has attended university to gain the necessary qualifications and knowledge and has inevitably also gained a sizeable student debt in doing so. The option of buying a house on the general market is therefore not a realistic option nor one that the banks would probably support.

To meet the necessary locational need i.e. on the farm, there is already a significant restriction of those properties that might become available. As evidenced in ***Plan 17,*** the availability is poor, the sale prices are not within the means of a young farmer and there are few properties that come on the market timeously. The four properties below, the most recently sold between 2008 and 2020, range between £280,000 and £375,000 (in 2014).

Furthermore, the Proctors are included in the Scottish Government's definition of 'key workers' since they are critical to the food supply chain. As a key worker, it is essential that the Proctor's have access to affordable housing.

It should also be acknowledged as fact that according to Rightmove, property prices in the local area have risen 22% in the last year to an average of £269,200. This is not affordable housing.

There is clear evidence of a lack of affordable housing options available to the Proctors. The only realistic option available to the Proctors is a self-build. In pursuing this option, the land value is removed and there are only the costs associated with the development.

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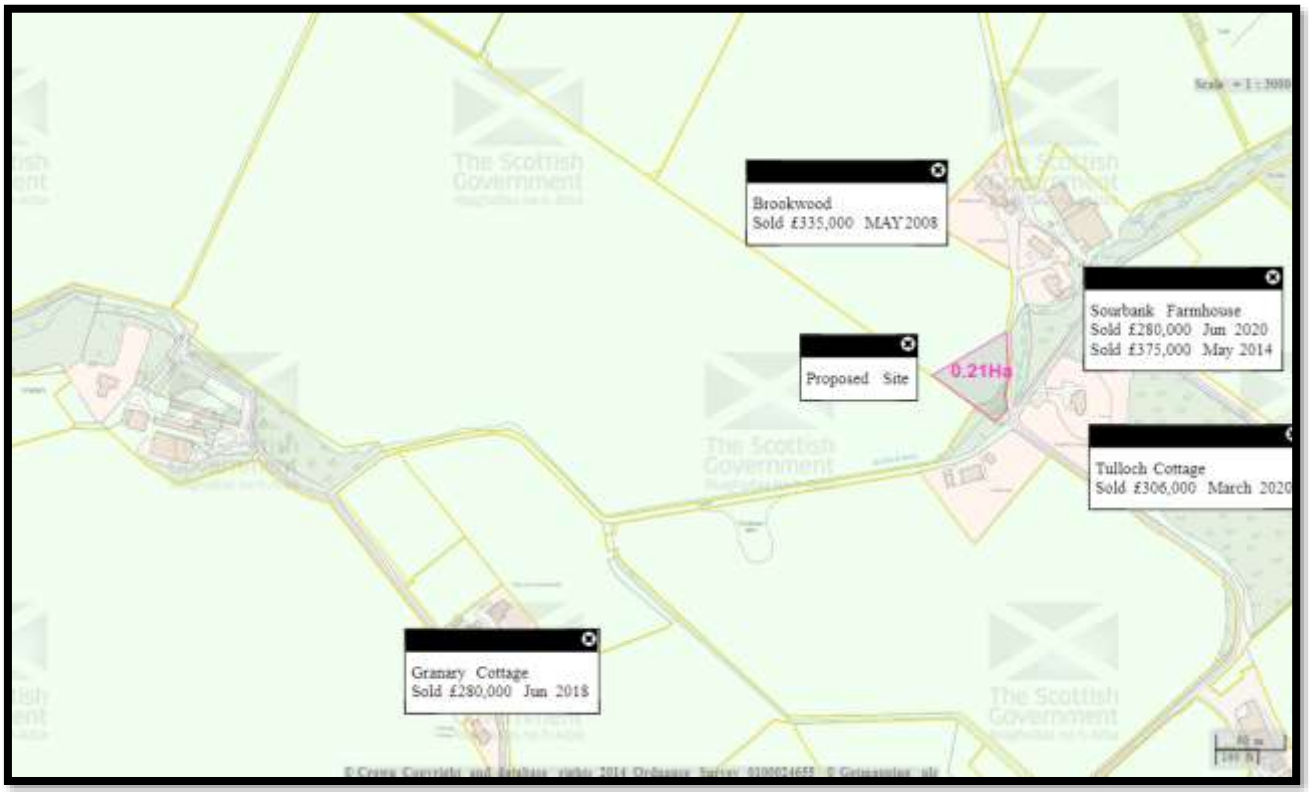

Plan 17: House Sales of Neighbouring Properties at Sourbank © Proctor

Functional Needs

It is important to demonstrate that essential functional needs exist for Mr R Proctor to live permanently on the farm. This is outlined in detail in the submitted Agricultural Needs Assessment, which has been carried out by Bowlts. To complement this Assessment, it is necessary to summarise the functional needs as follows:

Sustainability/Viability

The strong relationship between the farm business and the surrounding community is vital to its existence. If the farming business does not function as a sustainable enterprise and is not financially viable, then it will no longer exist. It will no longer fulfil its role as part of the surrounding rural community.

Bowlts report outlines the labour requirement to run the existing farming business at Sourbank. Its conclusion based on the farming industry led requirements indicates a “real and reasonable need” for accommodation on site for this farm. The location of the farm as proposed is concluded as being an essential requirement of good animal welfare and husbandry.

This farming business is viable but to continue to be, it needs to evolve, and the family needs to commit to continuous improvement. Improvements inevitably involve removing practices that drain resources in terms of manpower/hours and costs. For this farming business to continue as a viable enterprise, it is essential that Mr R Proctor lives on the farm and is always available. To continue to spend vital hours and money on

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inefficient practices, such as commuting and travelling to and from Balnageith or indeed any other off-site accommodation is not sustainable.

The proposed house for the Proctors will therefore allow the continuation of its role within the wider context of the community and rural economy in line with the more strategic Scottish Government and Moray Council planning policies.

Sustainability/Climate Change

The Scottish Government and Moray Council strongly promote sustainability measures to minimise the impacts of climate change.

Current farming practices at Sourbank involve frequent travel to and from Balnageith to both run the farm in general terms and for animal husbandry reasons. There are no welfare facilities available on the farm and this also increases the number of necessary journeys. This is not sustainable and increases the carbon footprint of this farming businesses.

Bowlt's report outlines in detail the travel calculations in terms of miles, time, fuel consumption, cost, and carbon emissions. The summary figures indicate an annual mileage of over 6000 miles and a week of time used. That equates to 963 litres of petrol at a cost of £1204 per annum. The annual carbon emissions is 2.46 tonnes of CO2.

The provision of a house for Mr R Proctor to live on site on the farm, will significantly reduce all those journeys and therefore the farm's carbon emissions. When dealing with the cattle at the steading he will be in walking distance further reducing carbon emissions.

Animal husbandry.

Sourbank is a mixed farm and includes livestock, cattle. As advised by Bowlts, cattle management and husbandry are a labour-intensive element of the farm operation, with feeding, provision of replacement bedding, tagging, monitoring health and welfare and calving as some of the necessary tasks.

It is fact that if a farmer is not readily available to attend a sick animal or cows during calving then there is a high risk of livestock death. It is therefore essential that a qualified and experienced farmer/farm worker is constantly available to deal with these events.

The welfare of their cattle is of the highest priority to the Proctors. The potential for animal care events at short notice is constant. The cattle need to be regularly checked at all hours. Any delays in attending inevitably result in an increase in mortality rates, which in turn affect the viability of this farm with reduced profits. Unfortunately, without currently having onsite accommodation, the Proctors have had to accept this situation and travel to and from the farm regularly to deal with events and inevitably there are casualties as a result.

Calving percentages have reduced to slightly lower than the farming industry benchmark at Sourbank. Also, mortality rates on the farm have been higher in recent years and is higher than the farming industry benchmark. Increasing calving percentages and lowering mortality rates is essential to improve the viability and future growth of this farming business.

The only way to now resolve this important functional need and ensure that the Proctors comply with their moral and legal duty for animal welfare is for Mr R Proctor to live on site, with onsite welfare facilities and near the steading for animal care and calving purposes.

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Health and Safety

Health is now a material consideration in planning matters, as evidenced in the recent publication of 'Mental Health in Town Planning' by the RTPI in October 2020.

Farmers work excessively long and unsociable hours. To work the hours that are required managing livestock is not sustainable to their health and wellbeing. Adding to this already heavy workload and stress in this case is travel to and from Balnageith, several times a day and night. It is not reasonable to expect Mr R Proctor to continue this unsustainable practice of regularly commuting to and from Balnageith and significantly adding to his working day by doing so, particularly when there is a simple solution by having onsite housing.

Furthermore, farming is one of the most dangerous occupation industries in the UK with significant number of injuries and deaths caused by cattle or through the operation of machinery with limited sleep. This is evidenced through reports from the Health and Safety Executive.

The Proctors are on occasion working alone up at the farm and faced with potentially dangerous situations whilst operating machinery and handling livestock. It is inevitable given the travel distance from Balnageith that the likelihood of someone else being there immediately would be remote. It could be a significant and life-threatening time before they are found if anything goes wrong.

The proposed house would reduce the long hours and travel time for Mr R Proctor, significantly improving his health and wellbeing. It would also allow for his partner to be immediately on hand in any dangerous incidents if he got into difficulty.

Security

Farming businesses by virtue of their remote locations, are extremely vulnerable to theft, fly tipping and vandalism. Farms hold high value livestock, vehicles, machinery, and equipment making them prime targets for theft. It has become a growing concern for farmers (Bowlts)

By having an onsite presence close to machinery and cattle at the steading, will act as a deterrence and significantly reduce the risk of this occurring.

Conclusion

It has been demonstrated that there is a clear identifiable material planning consideration that applies to this case. The assessment carried out in this section shows that significant weight should be given to this material planning consideration given the lack of up to date policies in MLDP20 to deal with the legitimate housing needs of the farming sector.

Existing and emerging strategic planning policies within planning are striving to promote and assist the rural economy in Scotland. Farming businesses are fundamental to the future of the rural economy. Local planning policy and decisions need to reflect this.

The facts are evident that this is a genuine affordable housing need for a well-established farming business. A detailed analysis of the functional needs has been carried out and by reason of the sustainability, viability, climate change, animal husbandry, health and safety and security needs, all outlined above, it has been demonstrated that there is a real functional need for a farmhouse to be sited at Sourbank.

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3.3 DETAILED POLICIES

Assessment

Whilst no other material planning considerations were raised during the appraisal of the withdrawn application 19/01599/APP for completeness, the application has been assessed in this section of the Statement against the following detailed policies to demonstrate full compliance.

Policy	Policy Title	Policy Requirement
PP1	**Placemaking**	To generally create successful, healthy places that support good physical and mental health, help reduce health inequalities, improve people's wellbeing, safeguard the environment and support economic development.
PP3	**Infrastructure and Services**	Development must be planned and co-ordinated with infrastructure to ensure that places function properly and that proposals are adequately served by infrastructure and services.
DP1	**Development Principles**	All developments must consider the development principles of design, transportation, and water environment, pollution, and contamination
DP2	**Housing & Policy Guidance Note on Affordable and Accessible Housing**	Requires a design statement to be included to deal with infrastructure, access, service vehicles, landscaping, affordable housing, and drainage and other matters that the LPA may consider as being required.
DP4	**Rural Housing & Policy Guidance Note on Rural Housing**	Identifies a rural development hierarchy whereby new housing is directed to rural groupings, re-use and replacement and areas of intermediate pressure in the open countryside
EP12	**Management and Enhancement of the Water Environment**	New development is not supported if it would be at significant risk from flooding or would materially increase the possibility of flooding elsewhere. Surface water from development must be dealt with in a sustainable manner that has a neutral effect on flooding or which reduces the risk of flooding. Proposals and associated construction works must be designed to avoid adverse impacts upon the water Environment.
EP13	**Foul Drainage**	Outlines how foul drainage should be dealt with by development. Where a private system is deemed to acceptable soakaways will be necessary.
EP14	**Pollution, Contamination & Hazards**	Development proposals on potentially contaminated Land will be approved where they comply with other Relevant polices and if there is evidence of Contamination that effective remediation measures are agreed and implemented.

Table 1: Relevant Detailed Policies in MLDP20

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These policies are provided in ***Table 1*** above and then assessed to demonstrate full compliance.

Placemaking

The proposal is of a high-quality design, meeting all the siting and design criteria set out in policy. The design requirements set out in Policy DP1 are met as demonstrated in the detailed landscape assessment within this Statement. Transportation requirements have been met and agreed in full. The drainage and construction details outlined in the proposal meet with full approval of SEPA.

The proposed development fully complies with Policy PP1 and DP1 of the MLDP20

Provision of Access and Parking

The access will be taken from the public road, via a private farm track, across a field to the house. A double garage together with external parking is proposed to accommodate a minimum of four vehicles on site.

It has been confirmed by Moray Council's Transport Team that the design of the junction of the B9010/U102E and the proposed access from the farm track both fully comply with their requirements for road safety.

The proposed development fully complies with Policy PP1, PP3 and DP1 of the MLDP20

Sustainable Design

The detailed proposals demonstrate good sustainable design. The detailed design as outlined in this Statement fully meets requirements, including for example the provision of more than 25% native tree planting (which is significantly more the policy required 15%), a high standard of insulation, the use of air sourced heating and the use of reclaimed roofing slates. The house is built with future accessibility in mind with a ramp, wet room, sleeping accommodation and all facilities available within a fully accessible ground floor.

The proposed development fully complies with Policies PP1, PP3, DP1 and DP2 of the MLDP20

Residential Amenities

There would be no impact on residential amenities resulting from this development.

The neighbouring residential properties are a significant distance from the proposed house site. As such there would be no direct impact, for example, loss of privacy or loss of light. See ***Plans 1 & 2*** and ***Photos 22 - 24***.

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Photo 22: Farm track showing location of access to house on the right © Proctor

The existing track adjacent to Parkview is to be used to link to a new access to the proposed house. The track together with Granary Farm, to which it provides private access, has been in the Proctor's sole ownership since 1996. The track is therefore available for use by the Proctors, e.g. farm vehicles, at any time 24/7 in association with the farm businesses. The track is also used for access to the Scottish water pumping station, the public for walking and horse riding and by the occupants of Parkview to access their property. It is likely that the occupants of Parkview have a prescriptive right of way, i.e. it is "used openly, without force and without consent". The proposal does not obstruct the track or prevent the continued use by all those parties.

Photo 23: Rear Elevation of Parkview showing windows (and associated use of rooms) © Proctor

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Notwithstanding the landownership of this track and any rights of access, the Proctors are mindful of potential concerns regarding use of the track to access the new house in terms of noise, disturbance, privacy, and car light intrusion. Accordingly, the Proctors initially engaged with the occupants of Parkview to discuss any practical solutions they may have wanted included in the proposals to allay their concerns. However, the engagement was refused and in the absence of any discussions and to be neighbourly in this small rural community, the Proctors have sought to provide their own design solutions to any of those perceived problems.

Noise and Disturbance

It is of relevance that the track can be used by the Proctors by farm vehicles, which have the potential to cause noise and disturbance 24/7. The proposed use for access to one residential property will be insignificant in terms of any additional noise and disturbance caused by car users. The traffic increase will also be insignificant from the addition of one three-bedroom family house. The track runs along the back of Parkview, which was constructed to take advantage of the wider countryside views to the south. As such, as shown in ***Photo 23***, the rooms to the rear are secondary, in terms of bedroom, bathroom, kitchen and dining areas, with the primary room (living areas) located at the front.

Regarding the installation of the air source heat pump. This will be installed to comply with British Standards, which includes noise insulation. The use of this alternative method of heating is encouraged by the Scottish Government to promote green energy. The Council's Environmental Health Officer when consulted on the previous application raised no objections. The proposals remain the same and would not give rise to any impact.

Privacy

As well as Scottish Water employees and the public (either on foot or on horseback) already can be on this track and look toward Parkview. The track is also used by the Proctors to gain access to carry out maintenance work, as is evident in ***Photo 24***. This work can be carried out using vehicular machinery as well as hand-held machinery. All such work will be carried out by people, who already can drive, walk, and stand on this track, and have the potential to look towards Parkview. As also indicated from ***Photo 23***, two of the windows are obscurely glazed, serving bathroom accommodation, and therefore there is no potential for overlooking issues. It is also demonstrated from the photographs that when standing on the track, due to orientation of Parkview, it is not possible to see into any of the windows. As such, any loss of privacy is a perception rather than a reality.

Car Headlight Intrusion

The design of the driveway taken from this track has deliberately incorporated a curve at its end point approaching the track. It has been designed to follow the natural line to eliminate any potential light intrusion from cars accessing and exiting from the proposed house. Any cars accessing/exiting the driveway will face towards the garage rather than directly at the windows at Parkview. To supplement this design a native evergreen hedge screening is proposed to be planted. It is evident from ***Plan 2*** and ***Photo 24*** car headlights as they emerge or access the driveway will not affect the amenities at Parkview. It is also worth noting the distance between the car user and the track and the level differences. Parkview is sited below the track, reducing any direct impact.

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Photo 24: Proposed Access facing Garage at Parkview © Proctor

The proposed development complies with Policy of PP1 and DP1 the MLDP20

Contaminated Land

As confirmed by the consultation response from Environmental Health on the previous application for a house on this site, there are no contaminated land issues relating to this proposal.

The proposed development complies with Policies PP1 and EP14 of the MLDP20

Flooding and Drainage

As indicated by SEPA's flood maps, the site is not located within a flood area. There is no history of flooding at the site according to their maps. There are no surface water flooding issues.

In response to the previous planning application for a house on this site, the Moray Council Flood Risk Management Team raised no objections or comments on the application and made no recommendations for conditions to be imposed on any planning permission.

The proposed crossing over the Rafford Burn to access the site has been designed with the full co-operation of SEPA, who have confirmed that the proposals are acceptable and likely to be consentable under the The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) (as amended). They have confirmed that upon consultation of the submitted application, it is likely that they will request a condition to be imposed on any planning permission requiring the proposal of any opportunities to offset environmental footprint after culverting a watercourse, for example the compensatory habitat creation.

The Proctors are happy to accept a condition on this basis.

Sewerage systems will include the installation of a new 3800 litre septic tank connected to a soakaway is proposed for foul water. A rainwater soakaway trench is proposed for surface water drainage.

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Similarly, SEPA have advised that they welcome this confirmation of proposed discharge of wastewater through soakaway to the ground and that this will have no overflow pipe towards the burn. They have advised that it is likely that they will request a condition to be imposed on any planning permission requiring a distance of 10m to be maintained between the proposed soakaway and watercourse and also that no drainage channel is to be installed between the proposed soakaway and watercourse.

The Proctors are happy to accept a condition on this basis.

The proposed development complies with Policies PP1, DP1, EP12 and EP13 of the MLDP20

Developer Obligations

In response to the previous planning application for a house on this site, Moray Council Developer Obligations concluded in their Assessment Report that no developer obligations were required for primary and secondary education or for transport. Contributions were required for Health Care (towards the extension at Forres Health Centre, 2 Additional Dental Chairs and reconfiguration to existing pharmacy outlets), and for Sports and Recreation (towards a 3G pitch at Forres). There were no requirements for affordable housing required. This proposal is to meet an affordable housing need.

The Proctors are happy to accept this previously agreed requirement for developer contributions for health care and sports and recreation.

The proposed development complies with Policies PP1, PP3 and DP2 of the MLDP20

Servicing

If required, the site would easily be able to accommodate the required waste and recycling facilities commensurate to a single house. This is demonstrated by the provision of a bin storage area adjacent to the detached garage for the permanent storage of recycling and storage bins as shown on the submitted plans.

However, it is understood that Moray Council's Waste Collection Service currently has difficulties with manoeuvring their vehicles on the U102E. As such, bins for this cluster of housing are stored at Cloddach Farm, which is along the U102E public road towards the main B9010 Road. This gives the vehicles ease of manoeuvrability avoiding the need to travel up to these houses. The Proctors are happy to accept a condition in this regard, which is acceptable and achievable in full compliance with policy. Should the Councils Waste Collection Service change their collection practices or vehicle-type, it has been demonstrated that there is sufficient and appropriate space for the storage of waste and recycling bins.

Connection to the public water via Glenlatterach Water Treatment Works. Water supply in the area is more than adequate to the extent that the new house being built at Sourbank at present has had to fit a pressure reducing valve. Whilst concerns were previously raised regarding Scottish Water's response, which indicated they could not guarantee capacity, this is a standardised response for all housing development. It is for the Proctors to deal with this matter separate from planning.

The proposed development complies with Policies PP1, PP3 and DP1 of the MLDP2020.

Conclusion

Having carried out the above full appraisal of all relevant planning policies in the MLDP20, it can be concluded that the proposed development of this site fully complies with all the relevant detailed policies of the MLDP.

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SECTION 4: CONCLUSION

4.1 SUMMARY CONCLUSION AND RECOMMENDATION

Following the previous recommendation to refuse a house on this site, the Proctors have re-engaged with Moray Council planning department, the Transport Team and SEPA. They have also engaged with their neighbours. The result has been this amended application with a robust justification provided within this Planning Supporting Statement. This Statement confirms that this application for planning permission for a three bedroomed house with detached garage should be approved. The reasons can be summarised as follows:

Policy Reasons

The proposals fully comply with all the detailed policies within MLDP20.

The only outstanding issue is a locational one as outlined in Policy DP4. Policy DP4 fails to provide the flexibility in accordance with existing and emerging Scottish Planning Policy and indeed Moray Council's own stated planning vision to provide for affordable housing needs for all sectors and to support the rural economy. Unlike similar neighbouring predominantly rural areas, Moray Council do not provide for any exceptions to their rural housing policy to provide for genuine demonstrable housing needs for viable farming businesses. Without this exception in place, a damaging impact upon the viability and sustainability of this essential sector within the rural economy is a risk.

Other Reasons

Any planning decision on this proposal is required to not only consider planning policy but also material planning considerations.

Due to the lack of any planning policy support within MLDP20 other than that within the vision statement, the Proctors have been left to rely on their proposals being dealt with as a material consideration or indeed as a departure to planning policy due to the merits/special circumstances of this case.

This is a proposal for affordable housing meeting a genuine need for a well-established farming business in Moray. A robustly argued functional need as set out in this Planning Supporting Statement and the Agricultural Needs Assessment submitted by Bowlts is provided on behalf of the Proctors.

Conclusion and Recommendation

This Statement has unequivocally demonstrated in response to the intended reason for refusal for the previous application (which was considered under MLDP15 and is being considered under the newly adopted polices in MLDP20) that a single house on this site would not in any way cause a cumulative build-up of housing in the countryside and would not have a detrimental impact upon landscape. No identifiable harm was expressed by the Council and none has been subsequently been presented.

The proposal has also been amended to comply in full with both Moray Council's Transportation Team and SEPA's requirements, who have already approved the plans as submitted. These were the

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only stated potential reasons for refusal. A robust case has been provided. The application should therefore be approved.

It is therefore recommended that Moray Council reconsider this application taking into account this robust and detailed justification, which unequivocally demonstrate that the site can accommodate a single house without any adverse impact upon the character of the landscape, road safety and the amenities of the neighbouring properties.

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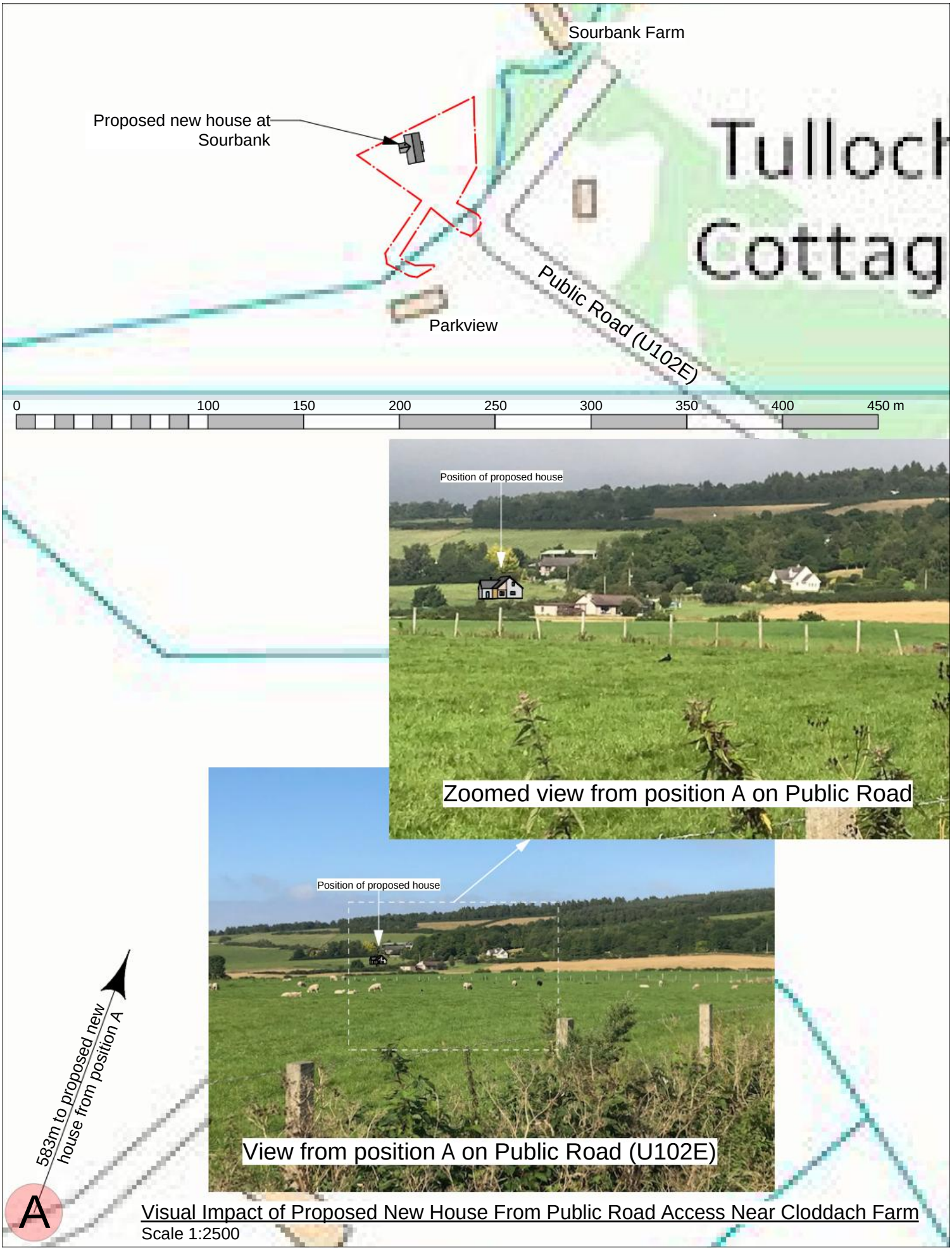

Visual Impact of Proposed New House From Public Road Access Near Cloddach Farm
Scale 1:2500

Introduction

The proposal is for a 1 ½ storey individual house in the open countryside. The applicant has advised it is needed to support farming on the surrounding land. The key policy considerations are DP4 Rural Housing and DP1 Development Principles.

DP4 Rural Housing and DP1 Development Principles

Background

Scottish Planning Policy (SPP) states rural development proposals should promote a pattern of development that is appropriate to the character of the particular area and the challenges it faces. In Moray there are identified issues relating to the adverse landscape and visual impacts associated with the cumulative build up of new housing in and around our main towns, particularly Elgin and Forres.

SPP also states that in pressurised areas easily accessible from Scotland's cities and towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside. On that basis areas within Moray where cumulative build up is prevalent were identified as pressurised and sensitive areas.

In terms of Policy DP4 the proposal is considered under section d) New Houses in the Open Countryside and because of the sites location, subsection ii) Pressurised and Sensitive Areas.

Pressurised and Sensitive areas are identified to direct new housing to the least sensitive locations across Moray. Due predominately to the landscape and visual impacts associated with the build up of houses in and around Rafford no further new housing will be permitted in this location outwith identified rural groupings and Lower and Upper Rafford.

Applicants Supporting Information

The applicant has submitted a detailed planning statement to support the proposed development, setting out the choice of site and how it is considered to comply with the relevant planning policies and the material considerations to support a new house within a pressurised and sensitive area.

In addition to this, an Agricultural Needs Report prepared by a Chartered Surveyor has also been prepared. The farmland is 251 hectares with 32 fields and a herd of 251 cattle. The Agricultural Needs Report sets out that there is no farmhouse at Sourbank and the business operates from Balnageith, north of Forres approximately eight miles from Sourbank. The key considerations evidencing agricultural need are animal husbandry and welfare to ensure the health and welfare standards for livestock are met, the number of labour hours to manage the cattle herd and ability to be available 24/7. Furthermore, eliminating the current 8 mile round trip, provision of on site security and succession planning enabling a younger generation to take over a greater share of the farming business.

Following consideration of all the information provided, it is accepted that in all likelihood there is an agricultural need for a house in this location. There are however no exceptions set out within the policy for houses associated with agriculture. It is worth noting over the last decade and more, justification of new housing on the basis of agricultural need has not been an issue in Moray and doesn't feature within the current policy. Despite accepting there is an agricultural need it is considered there is insufficient justification to support a departure and that the agricultural need

does not outweigh the policy in relation to pressurised and sensitive area. On the basis of the above a new house in this location is not supported and should be recommended for refusal.

Compliance with other criteria set out in DP4

No siting or design criteria are set out within Pressurised and Sensitive Areas as new housing in these locations is not supported. For the avoidance of doubt, if the proposal were to be considered setting aside the sites location within a Pressurised and Sensitive Area it would still fail to comply with the siting requirements set out in d) iii) of DP4 as follows. The site lacks the required immediate (on the boundary of the site) backdrop of existing landform, trees and buildings to provide acceptable enclosure. The proposal would therefore have a detrimental visual and landscape impact and adversely affect the character and appearance of this rural location.

In addition to this the proposal is considered to constitute unacceptable cumulative build up. The number of new houses in this location has eroded the traditional settlement pattern. Modern housing is the predominant component of this landscape and an additional house in this location would have an adverse impact on the character and appearance of this rural area.

Conclusion

The proposal should be refused as it fails to meet the requirements of DP4 and DP1. The introduction of a new house in this identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as impacting on the character and appearance of this rural area. There is no policy exception to allow new housing in pressurised and sensitive areas on the basis of agricultural need and the supporting information provided is not considered sufficient to outweigh Local Development Plan policies DP4 and DP1.

Consultee Comments for Planning Application 20/01658/APP

Application Summary

Application Number: 20/01658/APP

Address: Site South West Of Sourbank Farm Rafford Forres Moray

Proposal: Erect a 1.25 storey dwelling house and detached timber garage on

Case Officer: Emma Mitchell

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

Comments

Approved unconditionally

From: DeveloperObligations
Sent:17 Dec 2020 04:11:32
To: Emma.Mitchell@moray.gov.uk,
Subject:20/01658/APP Erect a 1.25 storey dwelling house and detached timber garage on Site South West of Sourbank Farm, Rafford
Attachments:20-01658-APP Erect a 1.25 storey dwelling house and detached timber garage on Site South West Of Sourbank Farm, Rafford.pdf,

---

Hi
Please find attached the developer obligations assessment that has been undertaken for the above planning application. A copy of the report has been sent to the applicant.
Thanks,
Rebecca

Rebecca Morrison | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development
Rebecca.morrison@moray.gov.uk | website | facebook | moray council planning facebook | twitter | newsdesk

Developer Obligations & Affordable Housing: ASSESSMENT REPORT

Date: 17/12/2020

Reference: 20/01658/APP

Description: Erect a 1.25 storey dwelling house and detached timber garage on Site South West of Sourbank Farm, Rafford

Applicant: G & AG Proctor

Agent: PM Designs

This assessment has been carried out by Moray Council. For developer obligations, the assessment is carried out in relation to policy PP3 Infrastructure and Services of the adopted Moray Local Development Plan 2020 (MLDP2020) and Supplementary Guidance (SG) on Developer Obligations which was adopted on 30 September 2020. And, for affordable housing, the assessment is carried out in relation to policy DP2 Housing of the MLDP2020. Affordable housing is a policy requirement not a developer obligation however for ease of reference the Affordable Housing contribution is included within this assessment.

The MLDP2020 can be found at **www.moray.gov.uk/MLDP2020** and the Developer Obligations SG can be found at **http://www.moray.gov.uk/downloads/file134184.pdf**

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare *(Contribution towards extension at Forres Health Centre, 2 Additional Dental Chairs and reconfiguration to existing Pharmacy outlets)*	[redacted]
Sports and Recreation *(Contribution towards 3G pitch in Forres)*	[redacted]
Total Developer Obligations	[redacted]
Affordable Housing	[redacted]
TOTAL	[redacted]

Breakdown of Calculation

Proposals for developer obligations are assessed on the basis of Standard Residential Unit Equivalents (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

3 bed = 1 SRUE

This assessment is therefore based on 1 SRUE.

Moray Council **DEVELOPER OBLIGATIONS**

INFRASTRUCTURE

Education

Primary Education

The pupils generated by this development are zoned to Anderson's Primary School. The school is currently operating at 64% functional capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Primary Education = Nil

Secondary Education

The pupils generated by this development are zoned to Forres Academy. The school is currently operating at 75% capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that no developer obligations will be sought for this proposal.

Contributions towards Transport = Nil

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m^2.

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.17 persons -Census 2011).

Forres Health Centre is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Forres Health Centre is working at design capacity and the existing space will be required to be extended and that 2 Additional Dental Chairs and a reconfiguration to existing Pharmacy outlets will be required.

Contributions are calculated based on a proportional contribution of [redacted] per SRUE for the healthcentre, [redacted] for the additional dental chairs each and [redacted] per SRUE for the pharmacy.

[redacted]

Contribution towards Healthcare= [redacted]

Sports and Recreational Facilities

Sports and Recreation Facilities

The nearest sports and recreational facilities that serve this development are located in Forres. The Moray Local Development Plan 2020 identifies a requirement for new development to contribute towards additional capacity of sports and

recreational facilities. As set out in the Review of Sport, Leisure and Recreational Provision in Moray (April 2014), current pitch provision in Forres falls below national standards in terms of both quantity and quality. The Review set out the preference is to provide synthetic grass pitches given the ever improving developments of synthetic turf technology, flexibility offered by the surface in terms of game size and capacity for repeated play without detrimental effect.

The Planning Facilities Model 2018 sets out that Moray currently meets 0.5 pitches per 10,000 population, which is significantly lower than the national average of 0.9 pitches per 10,000 population. Moray Council has agreed that the Council aim is to provide every secondary school with convenient/adjacent access to a 3G pitch given that sportscotland stipulates that pitches should be adjacent to schools. Therefore, contributions will be sought towards a 3G pitch in Forres on the following basis:

[redacted]

Contribution for Sports and Recreation Facilities = £[redacted]

AFFORDABLE HOUSING

The average market value of a serviced plot for 1 Affordable Unit is [redacted] Contributions are based on 25% of the total number of units proposed in the application:

[redacted]

Therefore, the total contribution towards affordable housing is:

1 proposed unit = £[redacted]

Affordable housing is a policy requirement not a developer obligation and will not be subject to negotiation.

TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations towards Moray Council infrastructure are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.

Consultee Comments for Planning Application 20/01658/APP

Application Summary

Application Number: 20/01658/APP
Address: Site South West Of Sourbank Farm Rafford Forres Moray
Proposal: Erect a 1.25 storey dwelling house and detached timber garage on
Case Officer: Emma Mitchell

Consultee Details

Name: Mr EH Consultations
Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX
Email: ehplanning.consultations@moray.gov.uk
On Behalf Of: Environmental Health C12

Comments

Approved unconditionally

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Flood Risk Management

Planning Application Ref. No: 20/01658/APP
Erect a 1.25 storey dwelling house and detached timber garage on Site South West Of Sourbank Farm Rafford Forres Moray for G & AG Proctor

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	☒
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	❑
(d)	Further information is required in order to consider the application as set out below	❑

Contact: Javier Cruz **Date……**25/01/2021
email address: Javier.cruz@moray.gov.uk **Phone No ……..**
Consultee: The Moray Council, Flood Risk Management

Tuesday, 08 December 2020

Local Planner
Development Services
Moray Council
Elgin
IV30 1BX

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Site South West Of Sourbank Farm, Rafford, Forres
PLANNING REF: 20/01658/APP
OUR REF: DSCAS-0028380-93S
PROPOSAL: Erect a 1.25 storey dwelling house and detached timber garage

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- There is currently sufficient capacity in the Glenlatterach Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

To find out more about connecting your property to the water and waste water supply visit:

So, how are we doing?
We'd love to know what we're doing well or could do better.
We promise we're listening, click here to tell us...

Please Note

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be

adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and

launderettes. Activities not covered include hotels, caravan sites or restaurants.

- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Planning Application Team
Development Operations Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

“It is important to note that the information on any such plan provided on Scottish Water’s infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

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Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	22nd December 2020
Planning Authority Reference	20/01658/APP
Nature of Proposal (Description)	Erect a 1.25 storey dwelling house and detached timber garage on
Site	Site South West Of Sourbank Farm Rafford Forres Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133072956
Proposal Location Easting	307493
Proposal Location Northing	856126
Area of application site (M^2)	2568
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=QKYJIGBGJKV00
Previous Application	19/01599/APP
Date of Consultation	8th December 2020
Is this a re-consultation of an existing application?	No
Applicant Name	G & AG Proctor
Applicant Organisation Name	
Applicant Address	Balnageith Farm Balnageith Forres Moray IV36 2SX
Agent Name	PM Designs
Agent Organisation Name	
Agent Address	Sonas Todholes Dallas Forres Moray IV36 2RW
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Emma Mitchell
Case Officer Phone number	01343 563326
Case Officer email address	emma.mitchell@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.
For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 20/01658/APP
Erect a 1.25 storey dwelling house and detached timber garage on Site South West Of Sourbank Farm Rafford Forres Moray for G & AG Proctor

I have the following comments to make on the application:-

		Please
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	x
(d)	Further information is required in order to consider the application as set out below	❑

This proposal is for the erection of a new dwelling and includes improvement works to the existing U102E Sourbank Road/ B9010 Main Road junction, including improvements to the existing visibility splays. Evidence of the applicant's ability to provide the junction improvement works and visibility splays (over third party land) has also been submitted. The following conditions would apply:

Condition(s)

1. No development shall commence until a visibility splay 2.4 metres by 70 metres has been provided in both directions at the site access onto the public road, and maintained thereafter at all times free of any obstruction greater than 0.6m in height measured from the level of the carriageway.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

2. No development shall commence until a visibility splay 2.4 metres by 90 metres has been provided to the south at the junction of the U102E Sourbank Road onto the B9010 Main Road, with boundaries set back to a position behind the required visibility splay; and thereafter the visibility shall be maintained thereafter at all times free of any obstruction greater than 0.26m in height measured from the level of the adjacent carriageway.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

3. No development shall commence until the U102E/B9010 junction has been widened to the Moray Council standards and specification in accordance with submitted drawing

GRP/09/19/0907. The works shall include alterations/ extension to the existing junction road markings and provision of a new junction marker bollard. Note- Roads Construction Consent shall be required for the junction widening works.

To enable acceptable vehicular access to the development in the interests of road safety.

4. No development works shall commence on the dwelling house until a detailed drawing (scale 1:200) has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority confirming the provision of, or location where a future Electric Vehicle (EV) charging unit is to be connected to an appropriate electricity supply, including details (written proposals and/ or plans) to confirm the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit; and thereafter the EV charging infrastructure shall be provided in accordance with the approved drawing and details prior to the first occupation of the dwelling house.

Reason: In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking.

5. Two car parking spaces shall be provided within the site prior to the first occupation of the dwelling house. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

6. Prior to the occupation of the dwelling house, the first 10m of the site access track, measured from the edge of the public carriageway, shall be constructed to the Moray Council specification and surfaced with bituminous macadam. The width of the vehicular access shall be minimum 3.5 metres, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access.

7. Prior to the occupation of the dwelling house, an access lay-by shall be provided at the edge of the public road in accordance with submitted drawing GRP/09/19/02 Revision C. The vehicular access should lead off the lay-by. The lay-by must be constructed in accordance with the Moray Council specification and surfaced with bituminous macadam.

Reason: To enable visiting service vehicles to park clear of the public road in the interests of road safety.

8. Any existing ditch, watercourse or drain under the site access shall be piped using a suitable diameter of pipe, agreed with the Roads Maintenance Manager (300mm minimum). The pipe shall be laid to a self-cleansing gradient and connected to an outfall.

Reason: To ensure the construction of an acceptable access in the interests of road safety and effective drainage infrastructure.

9. No water shall be permitted to drain or loose material be carried onto the public

carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.

10. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

Reason: To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

The provision of Electric Vehicle (EV) chargers and/or associated infrastructure shall be provided in accordance with Moray Council guidelines. Cabling between charging units and parking spaces must not cross or obstruct the public road including footways. Infrastructure provided to enable EV charging must be retained for this purpose for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

Before commencing development the applicant is obliged to apply for Construction Consent in accordance with Section 21 of the Roads (Scotland) Act 1984 for new roads (junction widening). The applicant will be required to provide technical information, including drawings and drainage calculations. Advice on this matter can be obtained from the Moray Council web site or by emailing constructionconsent@moray.gov.uk

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

The developer should note that (communal) waste/ recycling is undertaken remote from the proposed dwelling.

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

Contact: AG **Date 22 December 2020**
email address: Transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Return response to	**consultation.planning@moray.gov.uk**

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://public.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Received by email on 05 January 2021

Dear Development and Building Standards Manager

I wish to object to this application on the grounds that there are already more than enough houses in this rural area which is now classified as sensitive and pressurised - for good reason. We moved here to enjoy the tranquillity of this spot and have found that the addition of just one house completed this summer has had a much greater impact on us in terms of traffic, visual impact and surface water flooding than we had anticipated. As lay people, we could not fully visualise from the plans how large and visually unappealing the house has turned out to be. We are very concerned that further residential development will have a much greater impact on the rural quality of this small area than is presented in the application.

It appears that this application is arguing a special case on agricultural need as it would normally be rejected due to being in a sensitive and pressurised area as described in DP4 MLDP20.

My understanding is that agricultural need is not a planning consideration in Moray. National planning policy framework does encourage provision for rural workers, but this project is not the only way the agricultural need could be satisfied. Whilst it is clear that living closer to the farm would be more convenient and efficient, the business has been run remotely for 40 years since the sale of the farmhouse by the family business (quoted from the supplementary document). The applicant has been granted planning permission for a house close to their farm buildings but has not proceeded with this option, or any other less prominent potential site on their land,. It is clear from the plans provided in the Agricultural Needs document, the applicant has an extensive area of land, not all of which is in the sensitive and pressurised area. The proposed development is a three bedroom house, which is likely to become too small for Mr R Proctor should he have a family of his own in future. What happens then? An extension? An application for an additional larger dwelling next to the farm buildings and a lucrative house sale or holiday let? The applicants insistence on developing this site rather than something more suitable for a farm house leads me to conclude there is a speculative element to this project in spite of protests to the contrary in the supporting document.

Turning to the supporting document, it is presenting only part of the planning history in this area. It gives the impression that the only planning consideration for the applicants' has been over providing a new farmhouse, it does not mention the other plots which they have sold over the years the development of which has greatly contributed to the now recognised pressure on the area.

The use of the term affordable housing in this context is misleading – there is no way this project supplies affordable housing in policy/planning terms. Elsewhere in the document it is stated that Mr R Proctor is a full partner in the family business, so it would seem unlikely he would qualify for actual affordable housing. The National Planning Policy Framework

contains a definition of affordable housing in Annex2. I am sure as planners you are familiar with it.

If this application is not rejected because it is in the sensitive and pressurised area (DP4 in the MLDP20) then the following factors need to be considered as in HP7 Supplementary Guidance:

The site is raised up and not screened – it is visible and obtrusive from the B9010 road and also the adjacent footpath network. Some of the photos submitted to show visual impact and in the supporting statement were taken in the summer BEFORE Raasay was constructed. This property is now easily visible through the deciduous woodland and because some evergreen vegetation has been removed. Before this building was constructed, there would have been a certain symmetry to the cluster by adding the proposed farm house – this is no longer the case.

To quote HP7 Supplementary Guidance:-

"*For example, successive applications for houses*

in the corner of fields within a dispersed pattern of settlement may be considered

to detrimentally alter the character of the locality. Whilst this may reflect the

dispersed pattern of settlement the volume of new houses may impact on the

open appearance and tranquil qualities of the rural area."

There is a magnificent view of Blervie Castle (Scheduled Monument) travelling west on the U102E which would be obscured by this development.

Road safety - the no through road U102E is narrow and in a poor state. It is frequently used at the south end by HGV's entering into businesses at Cloddach. The surface is pot holed and covered in material from these sites. As a user of the junction between the U102E and B9010, I can say with confidence that the reduced visibility is worst in the Forres direction, so altering the fence line on the other side will not significantly improve it. At the bend opposite the access track there are pre-existing drainage issues which can cause heavy icing in winter and flooding of the track during heavy rain. This has recently been exacerbated by water and material washing down from the newly constructed Raasay. There are also now large deep cavities on the edge of the road caused by surface water flooding. The access track and the public road in front of Tulloch Cottage form part of the local footpath network to Califer viewpoint (Forres Footpath Trust Califer Rafford Walk). It is a popular walk and more traffic on any section of it will create additional hazard, especially farm traffic on a single track way. This right angled bend in the road which has two access tracks opening onto it, is the point of most pressure with regard to residential traffic. It also is the site of numerous drainage elements and electricity infrastructure.

The proposal includes a culvert crossing over Rafford Burn. Calculations have been done using historical data for flood risk. Is it wise to create another pinch point in the burn when climate change is already creating significantly greater rainfall events? The surface water drainage from the fields further up the hill does not appear to be adequate for the volume of water during spells of rain.

The bin storage at Cloddach is already oversubscribed. There appears to be little scope for extension since it is on a bend at the junction used by HGVs into Cloddach. If a resident parks there to dispose of their waste then the timber lorries can't negotiate the bend now, never mind if more bins are placed there. I understand that modern bin lorries are unable to access bins further up the lane and there is no site for a bin store.

Other infrastructure including overhead electricity and water supply may be inadequate for more development. There is no fast broadband.

Light pollution – every dwelling adds to this in general, but for us any headlights on vehicles emerging from the track to Park View shine uphill directly into our property. There is little traffic from the existing dwelling but likely to be much more disturbance from an active farm house.

The Farming Needs document is misleading as it is not immediately clear that Balnageith is an 8 mile ROUND trip and not 8 miles from Sourbank. Whilst there is no doubt there would be considerable advantages in efficiency and livestock management by living next to the cattle housing, it should be noted that the farm has been managed for 40 years from elsewhere. If proximity to the cattle housing is so vital, then the alternative site to the North would have served that purpose much better. In allowing that permission to lapse, the issue of succession has now been forced onto a prominent and sensitive site.

Summary Conclusion

I urge you to consider this application on purely planning grounds. It is in the sensitive and pressurised area identified in Moray's LDP. The argument presented regarding agricultural need is not a relevant planning consideration in Moray and the development does not provide affordable housing in its technical sense. The local infrastructure is inadequate to support further residential development.

The applicant does have other options for housing near the farm and for succession planning.

There have been a number existing houses for sale at Sourbank and Upper Rafford close to the farmyard and the applicant had been given permission to build a house adjacent to the farm yard.

I can supply photographic evidence of visual impact and road surface conditions if required.

Yours faithfully

[redacted]

Received on 05.01.2021

I am writing over our concerns over the proposed planning application documents 20/01658/APP

Highlighted concerns

The planning officer stated, 'inappropriately located site' and 'changing the rural character of the area'

The proposed road leading to the new property is essentially the driveway to our home. Thus far, for the past thirty years, we have been the primary users of this access. The new proposed route to the new property will be no more than 15 metres from our front door. My wife and I built our home here in Rafford over thirty years ago with the intention to enjoy country-life living and most importantly, quietness and privacy. These new plans which will have a new road built in front of my kitchen window will be disruptive and ultimately, rather invasive to our privacy. We chose our plot because the likelihood of further housing developments close-by were slim-to-none. Being confronted by the prospect having loud agricultural vehicles consistently using the single-track road mere feet from our house is something that we find incredibly upsetting. The proposed new road is not only mere metres from our front door, but the track is also elevated with our house at a lower level than the road. Having farming machinery frequently using this road that will tower over our property would be remarkably unsettling.

Assessment of flood risk answered – previous severe flooding. The proposal to build a culvert crossing over the burn. This area has been badly flooded in the past due to heavy rainfall that has streamed from the top of the hill. Adding a bridge may cause even more strain on the small burn at times of heavy rainfall which already flooded around our home multiple times.

Proposed widening at junction B9010-U102E – however the road then leads to a single-track road up to the proposed property. This road is already busy with the current residents of properties and increasing this capacity of vehicles and agricultural vehicles will strain this road further in the poor condition that it already is. Widening the junction at the side proposed will make no real difference as the obstructive view of the junction is at the opposite side. There is also the other issue of bins and recycling, currently there are not enough bins and space for the amount of properties using the current collection points.

We also question the timing for this proposed new build. First of all, the proposed new build is planned to be built on a designated "red zone". I wonder if the applicant has better options available to his farming business. Having looked over the application and the "needs" for this property, I am far from convinced that this plan is the most fitting solution to these needs and the applicant's business. The proposal states that the applicant has been investigating a solution for this problem for over ten years. In the past the applicant sold a plot of land situated in close proximity to the discussed steading. This plot of land was then re-listed (for considerable time), then sold again and now on the plot resided the property, "Raasay". After looking at the application, this plot of land would have been ideal for the business needs. There would have been no issues with building, no neighbour's privacy issues, no access issues and ultimately would have been far cheaper to develop. Why was this plot sold in the first place and furthermore why was it not bought back if it would have addressed a major problem for the business? I feel this is one of a few things that highlight inconsistencies and contradictions in this proposal.

In conclusion, surely there are plots of lands that are better equipped to handle a new housing development and even closer to the farm than this one being proposed? I worry why this plot of land has been chosen as it does not appear to be overly practical for the uses that have been put forward. I am also concerned that this one new build can lead to further developments in the area that will be also easy to carry out once one property have been built on the plot. Further housing developments in our area would ultimately be catastrophic.

In summary, our main concerns and objections are ultimately the invasion on our privacy and way of living. We feel the new proposed route is too close to our house and will ultimately have an impact on our way of living and our regularly visiting grandchildren. The proposed new build and access point is disruptive, and we feel that there are better options available for the stated uses as appose to building on a "red zone". As mentioned above, we also feel that further development in our area in addition to the proposed new build would be devastating to our community and our collective way of living.

Best regards,

[redacted]

Comments for Planning Application 20/01658/APP

Application Summary

Application Number: 20/01658/APP
Address: Site South West Of Sourbank Farm Rafford Forres Moray
Proposal: Erect a 1.25 storey dwelling house and detached timber garage on
Case Officer: Emma Mitchell

Customer Details

Name: [redacted]
Address: [redacted]

Comment Details

Commenter Type: Civic Group
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:The Forres Footpaths Trusts' attention has been drawn to the Planning Application 20/01658/APP for a house at Sourbank, Rafford.
One of the Trust's Walks, the Califer - Rafford Walk, passes adjacent to this proposed development. This is a non way marked walk described on the Trust's website at Califer02.pdf (forresfootpathstrust.org.uk) This is a relatively popular walk day to day and has also been used during the Moray Walking Festival. This part of the walking route is also included as a Core Path in the draft amendment to the Moray Core Paths Plan as CCP 23.
The walk route uses the lane that is shown as providing access to the proposed development: the land of the lane is owned by the Applicant. If the application is approved, the Trust wish the Planning Authority to ensure that there is no interference with access along this part of the route.

Submitted by Wilson Metcalfe as Chairman Forres Footpaths Trust

Received by email on 09/12/20

I would like to make the following comments on planning application 20/01658/App .

I have a number of concerns relating to the application. As I understand it the case made for the application would be an exception to policy. I would have particular concern over whether this would lead to subsequent applications for development, and in addition, that the siting of any build addressed the issues below

Points as follows :

- the supporting statement to the application makes a case for agricultural need to support an application which would otherwise be contrary to planning policy, as noted in the planning office responses in the supporting statements. The application argues that this should be an exception based on need, and the lack of availability of other properties. However a number of properties have been on the market and sold for prices that would appear compatible with the likely cost of this proposal - notably Sourbank Farmhouse, Tulloch cottage , and the land to the rear of Tulloch Cottage which has recently been built on - in addition to multiple other properties in Rafford and surrounds . There appears to have been a history of plots sold for development which has played its part in the expansion of building in this a particular area. This raises a question about the case for 'need' - and as a minimum would seem to argue for an agricultural occupancy condition for the property, and a planning condition preventing further development

- there is a registered burden relating to the field proposed for the construction of the property in favour of Sourbank Farm House and Sunil an Mara to protect the existing drainage facility for both properties. This includes the drainage field which runs across the field relating to the application. In ensuring that it’s the greatest possible distance from the front of Sourbank Farm House and Sunil an Mara, where the soakaway enters the field, it is possible that the proposed siting of the build may mitigate the risk to the existing drainage system. I understand the drainage field extends some distance into the field due to high levels of saturation - so any construction or planting would need not to compromise these existing drainage facilities. The ground drainage assessment submitted with the application does not appear to take account of this.

- in the previous application for building a property on this site, the transport manager noted that the lane to the property had very limited passing options. This particular element of the objection appears to remain extant - and could be aggravated by increased use of agricultural equipment in addition to any my domestic use

- the general infrastructure to this area is already strained - for example with some overhead delivery of electricity, no broadband infrastructure, and comment on the previous application noted concerns over demand on the water supply

REPORT OF HANDLING

Ref No:	20/01658/APP	**Officer:**	Emma Mitchell
Proposal Description/ Address	Erect a 1.25 storey dwelling house and detached timber garage on Site South West Of Sourbank Farm Rafford Forres Moray		
Date:	29.04.2021	**Typist Initials:**	LMC

RECOMMENDATION		
Approve, without or with condition(s) listed below		**N**
Refuse, subject to reason(s) listed below		**Y**
Legal Agreement required e.g. S,75		**N**
Notification to Scottish Ministers/Historic Scotland		**N**
Hearing requirements	**Departure**	**N**
	Pre-determination	**N**

CONSULTATIONS		
Consultee	**Date Returned**	**Summary of Response**
Strategic Planning And Development	27/04/21	Departure from policies DP1 and DP4 of Moray Local Plan 2020
Environmental Health Manager	11/12/20	No objection
Contaminated Land	11/12/20	No objection
Transportation Manager	22/12/20	No objection subject to conditions and informatives.
Scottish Water	08/12/20	No objection
Planning And Development Obligations	18/12/20	Contribution sought
Moray Flood Risk Management	25/01/21	No objection

DEVELOPMENT PLAN POLICY		
Policies	**Dep**	**Any Comments (or refer to Observations below)**
PP1 Placemaking	N	
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	
DP2 Housing	N	
DP4 Rural Housing	Y	
EP12 Management and Enhancement Water	N	
EP14 Pollution Contamination Hazards	N	

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: FOUR		
Names/Addresses of parties submitting representations Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		

Planning Policy

Issue: The site is raised and not screened making it visibly obtrusive from the B9010 public road and adjacent footpath network.
Comment (PO): It is agreed that the site is not screened and it would be visibly obtrusive from the surrounding area. The site lacks the required immediate (on the boundary of the site) backdrop of existing landform, trees and buildings to provide acceptable enclosure. The proposal would therefore have a detrimental visual and landscape impact and adversely affect the character and appearance of this rural location.

Issue: Application argues that there should be an exception to the fact that the proposal doesn't comply with planning policy based on need and the lack of availability of other properties. However a number of properties have been on the market and sold for prices that would appear compatible with the likely cost of this proposal - notably Sourbank Farmhouse, Tulloch cottage, and the land to the rear of Tulloch Cottage which has recently been built on - in addition to multiple other properties in Rafford and surrounds.
Comment (PO): There is no policy exception to allow new housing in Pressurised and Sensitive areas on the basis of agricultural need and the supporting information provided is not considered sufficient to outweigh the Local Development Plan policies.

Issue: There are already more than enough houses in this rural area which is now classified as sensitive and pressurised.
Comment (PO): The introduction of a new house in this identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as impacting on the character and appearance of this rural area.

Issue: Agricultural need is not a planning consideration in Moray.
Comment (PO): This is correct, there is no policy exception to allow new housing in Pressurised and Sensitive areas on the basis of agricultural need.

Development within the surrounding area

Issue: There have been a number existing houses for sale at Sourbank and Upper Rafford close to the farmyard and the applicant had been given permission to build a house adjacent to the farm yard. The applicant has not gone forward with any of these options.
Comment (PO): This is not a material planning consideration.

Issue: There appears to have been a history of plots sold for development which has played its part in the expansion of building in this a particular area. This raises a question about the case for 'need' - and as a minimum would seem to argue for an agricultural occupancy condition for the property, and a planning condition preventing further development.
Comment (PO): Scottish Planning Policy does not support occupancy conditions. It is unclear what is meant by the need for a planning condition preventing further development.

Issue: The business has been run remotely for 40 years since the sale of the farmhouse by the family business. Planning permission was granted previously for a house close to the farm buildings but this option was not utilised. If proximity to the cattle housing is so vital, then the alternative site to the North would have served that purpose much better. In allowing that permission to lapse, the issue of succession has now been forced onto a prominent and sensitive site.
Comment (PO): This is not a material planning consideration.

Drainage

Issue: There is a registered burden relating to the field proposed for the construction of the property in favour of Sourbank Farm House and Sunil an Mara to protect the existing drainage facility for both properties. The ground drainage assessment submitted with the application does not appear to take account of this.
Comment (PO): This is a private matter and not a material planning consideration.

Issue: Adding a bridge over the burn that has badly flooded in the past due to heavy rainfall including around the neighbouring property may cause more strain on the small burn.
Comment (PO): A Drainage Impact Assessment was submitted with the proposal and full details of the proposed culvert. Moray Flood Risk Management were consulted on the proposal and have no objections.

Issue: There are pre-existing drainage issues at the bend where the access track is, this can cause heavy icing in winter and flooding of the track during heavy rain. This has been exacerbated recently by water material washing down from the newly constructed Raasay.
Comment (PO): Moray Flood Risk Management were consulted on the proposal and have no objections to it. The proposal has demonstrated through the Drainage Impact Assessment that it will have a neutral effect on flooding and therefore complies with the requirements of policy EP12 Management and Enhancement of the Water Environment.

Issue: The proposal includes a culvert crossing over Rafford Burn. Calculations have been done using historical data for flood risk. Is it wise to create another pinch point in the burn when climate change is already creating significantly greater rainfall events? The surface water drainage from the fields further up the hill does not appear to be adequate for the volume of water during spells of rain.

Comment (PO): Moray Flood Risk Management were consulted on the proposal and have no objections to it.

Services and Infrastructure

Issue: Electricity and water supply maybe inadequate for more development. There is no fast broadband.
Comment (PO): Scottish Water were consulted on the proposal and have no objections. It is unlikely that connecting onto the electricity network would be an issue however this is not a material planning consideration. Not having fast broadband is not a material planning consideration either.

Road Safety

Issue: Increasing the number of vehicles and agricultural vehicles on the single track road will strain it further, it is already in a poor condition. It is used by HGVs entering into businesses at Cloddach. The road has pot holed and covered in material from these sites.

Issue: The U102E and B9010 has worse reduced visibility in the Forres direction therefore altering the fence in the other direction will not significantly improve it.

Issue: There are some deep cavities on the edge of the road caused by surface water flooding.

Issue: The access track and the public road in front of Tulloch Cottage form part of the local footpath network to Califer viewpoint (Forres Footpath Trust Califer Rafford Walk). More traffic on any section of it will create additional hazard, especially farm traffic on a single track way. This right angled bend in the road which has two access tracks opening onto it, is the point of most pressure with regard to residential traffic.

Comments (PO): The Transportation Section has considered all these issues as part of the application but does not object to the proposal on road safety and increase in traffic subject to conditions and informatives being attached to the planning consent if permitted.

The Transportation Section has not objected to the proposal on the grounds of road safety on the U102E and the surrounding roads which are capable of dealing with the additional traffic generated.

Refuse Collection

Issue: The bin storage at Cloddach is already oversubscribed. There appears to be little scope for extension since it is on a bend at the junction used by HGVs into Cloddach. If a resident parks there to dispose of their waste then the timber lorries can't negotiate the bend now, never mind if more bins are placed there. It is understood that modern bin lorries are unable to access bins further up the lane and there is no site for a bin store.
Comment (PO): A bin storage area is shown on the garage plan of the proposal. It is therefore anticipated that the proposals bins (if the proposal was consented) be only brought to the public road on collection days.

Privacy

Issue: Access track leading to proposed property is essentially the driveway to the neighbouring property. For the last 30 years the neighbouring property has been the primary users of the access. The route to the proposal site is no more 15 metres from neighbouring front door and will be built in front of the kitchen window, it will be disruptive and invasive to privacy.
Comment (PO): The passing of vehicles past the neighbouring property would cause minimal privacy issues.

Issue: Neighbouring property built their home in this location to enjoy country living and the peace and quiet and because it was believed that the likelihood of further developments close by was unlikely.
Comment (PO): The proposed dwelling is approx. 75 metres away from the neighbouring therefore the impact on the neighbouring amenity would be minimal.

Issue: Prospect of loud agricultural vehicles consistently using the single track road mere feet away from neighbouring property is incredibility upsetting.
Comment (PO): The proposal is for a dwelling, it is not anticipated that agricultural vehicles will use the track however the track is owned by the applicant and they can use the track as they please.

Issue: The access track is elevated above neighbouring property, having farming machinery frequenting this track will be remarkably upsetting given it will tower over the property.
Comment (PO): The proposal is for a dwelling not farm buildings. It is speculation that farming machinery would be using the track however the track is owned by the applicant and they can use the track how they please.

Issue: The proposal would have an impact on the neighbouring properties way of living and their regularly visiting grandchildren.
Comment (PO): The proposed dwelling is approx. 75 metres away from the neighbouring therefore the impact on the neighbouring amenity would be minimal.

Issue: Do not believe a property in this location is the most fitting to the needs of the applicant.
Comment (PO): This is not a material planning consideration.

Precedent

Issue: If this proposal was allowed it could lead to further developments in the area. Further housing developments in the area would ultimately be catastrophic and devastate the community.
Comment (PO): The current application must be assessed on its individual merits and under the current local development plan. Speculation about further development in the area is not material to the current application and such proposals would be separately assessed under separate planning applications.

Issue: Concerned that further residential development will have a much greater impact on the rural quality of this small area than is presented in the application.
Comment (PO): The area has been designated as a Pressurised and Sensitive Area to prevent further housing impacting the rural character of the area.

Other

Issue: The applicant owns land that is not in the Pressurised and Sensitive Area.
Comment (PO): This is not a material planning consideration to this planning application.

Issue: The view of Blervie Castle would be obscured by this proposal.
Comment (PO): It is not likely that any view of Blevrie Castle would be impacted by the proposal given the lie of the land.

Issue: Every new dwelling adds to light pollution.
Comment (PO): A single dwelling in this location would cause minimal light pollution.

Issue: The proposal states that the applicant has been investigating a solution for this problem for over ten years. In the past the applicant sold a plot of land situated in close proximity to the steading. This plot of land was then re-listed (for considerable time), then sold again and now on the plot resided the property, "Raasay". This plot would have been ideal for the business needs. It is important to highlight the inconsistencies and contradictions in this proposal.
Comment (PO): This is not a material planning consideration.

Issue: The proposed dwelling could be too small in the future for the applicant. What happens then, an extension, a further dwelling and the proposal dwelling sold or used as a holiday let?
Comment (PO): This is speculation and not a material planning consideration.

Issue: Supporting document only presents part of the planning history of the area. It fails to mention other plots that have been sold over the years which have greatly contributed to the now recognised pressure on the area.
Comment (PO): A full history of the area including previous planning consents for dwellings is noted regardless of it is mentioned in the supporting documents.

Issue: The use of the term affordable housing in this context is misleading - there is no way this project supplies affordable housing in policy/planning terms. The applicant is a full partner in the family business therefore it is unlikely he would qualify for actual affordable housing.
Comment (PO): The proposal is not classed as affordable housing. It maybe that the proposal is a more affordable option for the applicant however this does not make it affordable housing.

Issue: A Forres Footpath Trust walk (Rafford Walk) passes adjacent to the development. It is also included as a Core Path in the draft amendment to the Moray Core Oaths Plan as CCP 23. The walk route uses the lane that is shown as providing access to the proposed development: the land of the

lane is owned by the Applicant. If the application is approved, the Trust wish the Planning Authority to ensure that there is no interference with access along this part of the route.
Comment (PO): This is matter for discussion between the land owner and the Forres Footpath Trust. Given that it is not currently an issue the Rafford Walk using the lane and the land owner is not changing it is not anticipated that this would be a concern.

Issue: Some of the photos on the supporting statement were taken prior to the neighbouring dwelling Raasay being built (this property is easily visible through the deciduous woodland).
Comment (PO): A site visit by the Planning Officer has been undertaken.

Issue: Farming needs assessment is unclear - Balnageith is 8 mile round trip not 8 miles from Sourbank.
Comment (PO): It is noted that is it 8 mile round trip from Balnageith to Sourbank.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal

- Planning permission is sought for the erection of a 3 bed dwelling and detached double garage at a site south west of Sourbank Farm, Rafford.
- The dwelling is one and half storey.
- External materials for the dwelling include white k-rend and timber cladding with a slate roof.
- External materials for the garage include timber cladding and slate blue planwell profile sheets for the roof.
- A septic tank with discharge to land via soakaway is proposed and connection to the public water supply is intended.
- Access to the site is via a new track that leads off an existing access from the public road. A 1.2 metre culvert is proposed over the Rafford Burn that the new track passes over.

Site Characteristics

- The elevated site is within an agricultural field, it is 2568sqm in size and gently rises to the north east, it is located approx. 1km from Rafford.
- It is located on the south-western flanks of Califer Hill.
- The site is bound to the west by agricultural fields and dwellings to the north, west and south.
- The site is located within a Pressurised and Sensitive Area.

History of planning applications for dwellings within 250m of the proposal site

Current application site

- 19/01599/APP - Dwelling - withdrawn due to issues with Transportation -March 2020 (current application site)

East of the application site

Site 1

- 18/01515/APP - Dwelling - granted permission March 2019 - Works started
- 11/00943/AMC - Dwelling - granted permission August 2011
- 09/02016/PPP - Dwelling - granted permission February 2010

Site 2

- 16/00921/APP - Dwelling - granted permission July 2016 - dwelling completed
- 13/00451/APP - Dwelling - granted permission May 2013

Site 3
- 13/01152/PPP - Dwelling - refused August 2013

Site 4
- 13/01109/APP - Dwelling - refused February 2014

Northeast of application site
- 19/00751/AMC - Approval of matters specified in 18/00559/PPP - granted permission October 2019 - works started
- 18/00559/PPP - Renew consent for a dwelling (15/00723/PPP) - granted permission June 2018
- 15/00723/PPP - Amend site boundary of planning application 12/00792/PPP for a dwelling - granted permission June 2015
- 12/00792/PPP - Dwelling - granted permission July 2012
- 09/0383/OUT - Dwelling - granted permission June 2009

North of application site
- 15/01860/APP - Renew planning consent for a dwelling - granted Dec 2015 - consent expired
- 12/01712/AMC - Dwelling - granted permission November 2012
- 09/01676/PPP - Dwelling - granted permission January 2010

Northwest of application site
- 05/00838/OUT - Dwelling - refused permission August 2005

Policy
Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

Siting and Design (DP1 and DP4)
Policy DP1 Development Principles seeks to ensure that proposals meet siting and design requirements, these include development being of scale, density and character to its surroundings and integrating into the landscape, proposals not adversely impacting on neighbouring properties in terms of privacy daylight or overbearing loss of amenity.

Policy DP4 seeks to direct new housing to appropriate locations within the countryside promoted by a rural development hierarchy, firstly by directing development to rural groupings; secondly by the re-use and replacement of traditional stone and slate buildings and finally, to sites in the open countryside. Policy DP4: Rural Housing also contains the necessary siting criteria for assessing new rural housing in the countryside. Proposals for single houses must be well sited and designed to fit with the local landscape and character and will be assessed on a case by case basis taking account of the following siting and design criteria;

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.
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.
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.

5. A new house must not exceed 6.75m in height, the house must be of appropriate scale and massing, excess detailing involving gable features, balconies etc. that have a suburban feel must be avoided, roof pitches must be between 30 and 50 degrees and meet the gable/pitch formula, windows with a horizontal emphasis must be generally avoided, restrictions on boundary treatments apply and access arrangements must be sympathetic to the rural setting.

Background to Policy DP4

Scottish Planning Policy (SPP) states rural development proposals should promote a pattern of development that is appropriate to the character of the particular area and the challenges it faces. In Moray there are identified issues relating to the adverse landscape and visual impacts associated with the cumulative build-up of new housing in and around our main towns, particularly Elgin and Forres.

SPP also states that in pressurised areas easily accessible from Scotland's cities and towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside. On that basis areas within Moray where cumulative build-up is prevalent were identified as pressurised and sensitive areas.

In terms of Policy DP4 the proposal is considered under section d) New Houses in the Open Countryside and because of the sites location, subsection ii) Pressurised and Sensitive Areas.

Pressurised and Sensitive Areas are zones in which no new housing will be permitted. The reason for this is due predominately to the landscape and visual impacts associated with the build-up of houses in and around the area.

Given the proposal site is within a Pressurised and Sensitive area there is no scope for new housing in this location as per policy DP4. No new housing in this area will be permitted out with rural groupings and Lower and Upper Rafford.

No siting or design criteria is set out within Pressurised and Sensitive Areas as detailed above new housing in these locations is not supported. For the avoidance of doubt, if the proposal were to be considered setting aside the sites location within a Pressurised and Sensitive Area it would still fail to comply with the siting requirements set out in d) iii) of DP4 as follows. The site lacks the required immediate (on the boundary of the site) backdrop of existing landform, trees and buildings to provide acceptable enclosure. The proposal would therefore have a detrimental visual and landscape impact and adversely affect the character and appearance of this rural location.

In addition to this the proposal is considered to constitute unacceptable cumulative build-up. The number of new houses in this location has eroded the traditional settlement pattern. Modern housing is the predominant component of this landscape and an additional house in this location would have an adverse impact on the character and appearance of this rural area.

Applicants Supporting Information

The applicant has submitted a detailed planning statement to support the proposed development, setting out the choice of site and how it is considered to comply with the relevant planning policies. In addition to this, an Agricultural Needs Report prepared by a Chartered Surveyor has also been prepared.

The Agricultural Needs Report details that the farmland is 251 hectares with 32 fields and a herd of 251 cattle. It sets out that there is no farmhouse at Sourbank and the business operates from Balnageith (north of Forres approximately eight miles from Sourbank). The key considerations evidencing agricultural need are animal husbandry and welfare to ensure the health and welfare standards for livestock are met, the number of labour hours to manage the cattle herd and ability to be available 24/7. Furthermore, eliminating the current 8 mile round trip, provision of onsite security

and succession planning enabling a younger generation to take over a greater share of the farming business.

Further information was requested seeking clarification in respect of the agricultural need which the applicant responded to.

Following consideration of all the information provided, it is accepted that in all likelihood there is an agricultural need for a house in this location. However, it is not considered there is sufficient justification for a departure from policy. There are no exceptions set out within the policy for houses associated with agriculture and therefore a new house in this location is not supported.

To conclude the introduction of a new house in this identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as impacting on the character and appearance of this rural area. There is no policy exception to allow new housing in pressurised and sensitive areas on the basis of agricultural need and the supporting information provided is not considered sufficient to outweigh Local Development Plan policies DP4 and DP1.

Access and Parking
Policy DP1 requires that proposals must provide a safe entry and exit from the development and conform with the Council's current policy on Parking Standards.

The proposal includes improvement works to the existing U102ESourbank Road / B9010 Main Road junction, including improvements to the existing visibility splays. Evidence of the applicant's ability to provide the junction improvement works and visibility splays (over third party land) has also been submitted.

Transportation were consulted on the proposal and have no objections subject to conditions and informatives being attached if consent were to be granted.

Drainage and Water (DP1, EP12 and EP13)
Policies DP1 and EP12 seek to ensure that acceptable water and drainage provision is made, including the use of sustainable urban drainage (SUDS). Policy EP13 requires new development to connect to the main system whenever possible.

A Drainage Impact Assessment (DIA) was submitted with the proposal. This was assessed by Moray Flood Risk Management and they have no objections to the proposal.

Connection to the mains water supply network is proposed. Scottish Water were consulted on the proposal and have no objections.

Developer Obligations and Affordable Housing Contribution (PP3 and DP2)
Policy PP3 Infrastructure and Services states development must be planned and co-ordinated with infrastructure to ensure that places function properly and proposals are adequately served by infrastructure and services. In relation to infrastructure and services developments can be required to provide contributions towards Education, Health, Transport, Sports and Recreation and Access facilities in accord with Supplementary Guidance on Developer Obligations and Open Space. Policy DP2 Housing stipulates for proposals of less than 4 market housing units a commuted payment is required towards meeting housing needs in the local housing market area.

Developer obligations are sought towards healthcare, sports and recreation and affordable housing if the proposal were to be consented. Please note the applicant has confirmed willingness to pay this.

Recommendation
Refuse.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

- Agricultural Needs Report – Sourbank Farm
- Planning Supporting Statement
- Site Investigation and Drainage Assessment - Sourbank Rafford
- Culvert Proposals

HISTORY				
Reference No.	**Description**			
19/01599/APP	Erect detached dwelling house and detached double garage Site South West Of Sourbank Farm Rafford Forres Moray			
	Decision	Withdrawn	**Date Of Decision**	24/03/20

ADVERT		
Advert Fee paid?	**Yes**	
Local Newspaper	**Reason for Advert**	**Date of expiry**
Forres Gazette	No Premises Departure from development plan	15/01/21
PINS	No Premises Departure from development plan	15/01/21

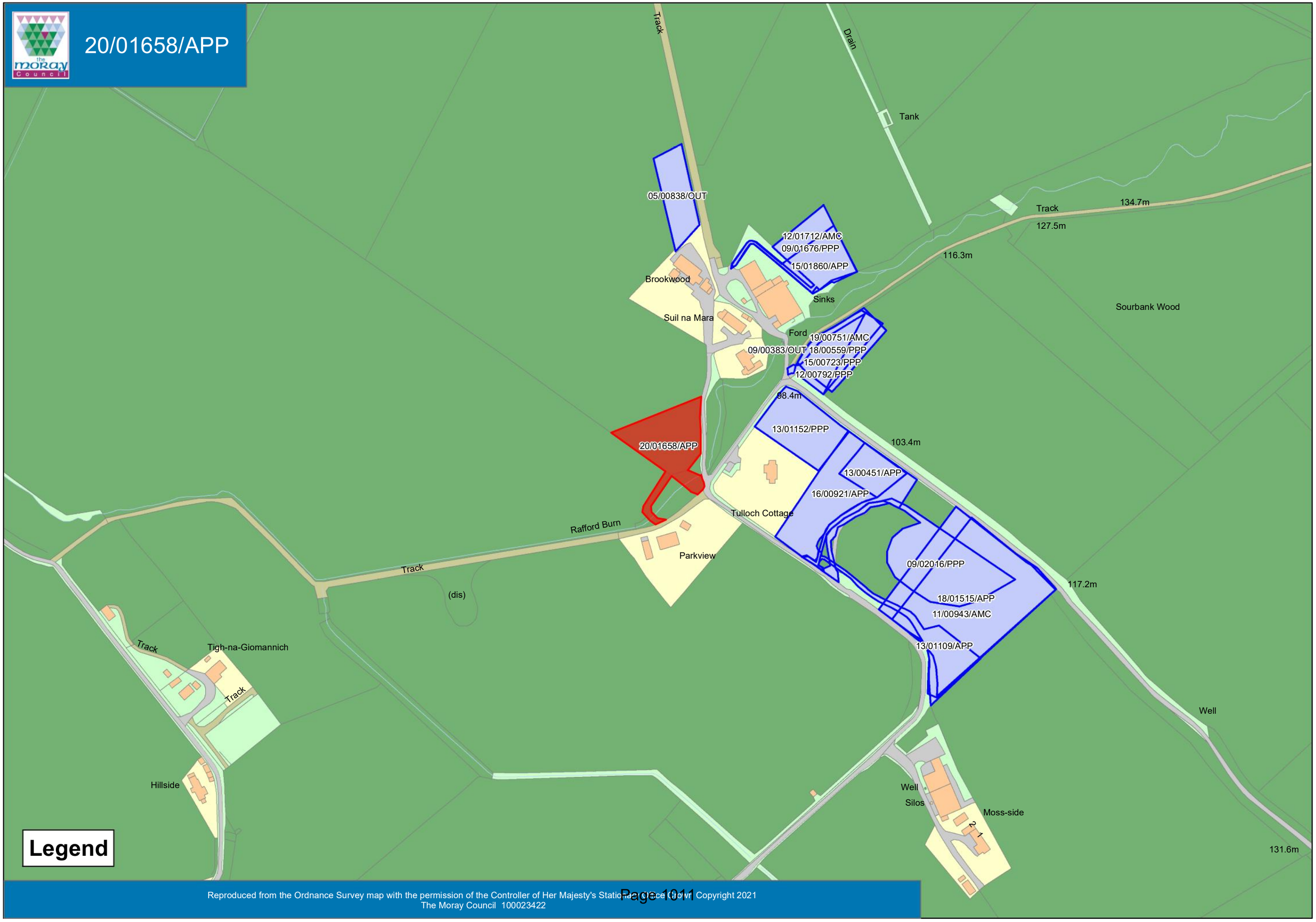
DEVELOPER CONTRIBUTIONS (PGU)	
Status	**CONT SOUGHT**

DOCUMENTS, ASSESSMENTS etc. * ** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*		
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Agricultural Needs Report – Sourbank Farm	
Main Issues:	Agricultural needs assessment for new residential dwelling at Sourbank	
Document Name:	Planning Supporting Statement	
Main Issues:	The statement sets to demonstrate that the proposal should be approved in compliance with both national and local planning policies.	
Document Name:	Site Investigation and Drainage Assessment - Sourbank Rafford	
Main Issues:	Information on the sites drainage	
Document Name:	Culvert Proposals	
Main Issues:	Information on the calculations demonstrating the required culvert sizing for the proposed new access	

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

20/01658/APP



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The Moray Council 100023422

MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended

REFUSAL OF PLANNING PERMISSION

[Forres]
Application for Planning Permission

TO G & AG Proctor
c/o PM Designs
Sonas
Todholes
Dallas
Forres
Moray
IV36 2RW

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect a 1.25 storey dwelling house and detached timber garage on Site South West Of Sourbank Farm Rafford Forres Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: **30 April 2021**

-

[redacted]

HEAD OF ECONOMIC GROWTH AND DEVELOPMENT
Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The development is contrary to Policy DP4: Rural Housing and DP1: Development Principles of the Moray Local Development Plan 2020 for the following reasons:

1. The introduction of a new house in the identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as negatively impacting on the character and appearance of this rural area.
2. There is not an acceptable level of enclosure and containment for a new house.
3. Together with other development in the immediate vicinity it would have the effect of detrimentally altering the rural character of the area contributing an unacceptable build-up of housing.
4. It will contribute to a sequential visual effect of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site in terms of its siting, particularly in relation to existing new houses in the area
5. There is no policy exception to allow new housing in Pressurised and Sensitive areas on the basis of agricultural need and the supporting information provided is not considered sufficient to outweigh the Local Development Plan policies.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference	Version	Title
GRP/09/19/004	A	Elevations
GRP/09/19/003	A	Floor plans
GRP/09/19/001	A	Location plan
GRP/09/19/002	C	Site plan
GRP/09/19/005	A	Garage details
GRP/09/19/006	A	Cross section
GRP/09/19/007		Visibility splay

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

APPENDIX 2

NOTICE OF REVIEW, GROUNDS FOR REVIEW & SUPPORTING DOCUMENTS

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name **Graeme Proctor**

Address **Balnageith Farm**
Forres

Postcode **IV36 2SX**

Agent *(if any)*

Name **Jane Shepherd**
TheTownPlanner

Address **The Craigies,**
Grant Road
Grantown on Spey

Postcode **PH26 3LA**

Contact Telephone **01479 872 953**

E-mail **jane@thetownplanner.co.uk**

Mark this box to confirm all contact should be through this representative: **X**

Do you agree to correspondence regarding your review being sent by e-mail to Agent? **Yes**

Planning authority	**Moray Council**
Planning authority's application reference number	**20/01658/APP**
Site address	**Site South-West of Sourbank Farm, Rafford, Forres**
Description of proposed development	**Erect 1.25 Storey Dwelling House and Detached Timber Garage**

Date of application **7 December 2020** Date of decision (if any) **30 April 2021**

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) **X**
2. Application for planning permission in principle
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
4. Application for approval of matters specified in conditions

Reasons for seeking review

1. Refusal of application by appointed officer **X**
2. Failure by appointed officer to determine the application within the period allowed for determination of the application
3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions
2. One or more hearing sessions
3. Site inspection
4 Assessment of review documents only, with no further procedure **x**

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions, or a hearing are necessary:

N/A

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

		Yes
1.	Can the site be viewed entirely from public land?	**x**
2	Is it possible for the site to be accessed safely, and without barriers to entry?	**x**

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

N/A

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached Planning Statement 25 May 2021 (TheTownPlanner)

	No
Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?	**X**

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

N/A

List of documents and evidence

Please provide a list of all supporting documents, materials, and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

All materials previously submitted with the planning application:

Covering Letter & Design Statement (PM Designs)
Location Plan (PM Designs)
Site Plan (PM Designs)
Floor Plans (PM Designs)
Elevations (PM Designs)
Garage Plans (PM Designs)
House Cross Section (PM Designs)
Visibility Splays (PM Designs)
Visual Impact (PM Designs)
Bowlts Agricultural Needs Assessment (Confidential)
GMC Site Investigation and Drainage Survey
GMC Culvert Proposals
Planning Supporting Statement (TheTownPlanner)

Together with:
Planning Statement (dated 25 May 2021) referred to above in Statement Section of this Notice Form.

Note. The planning authority will make a copy of the notice of review, the review documents, and any notice of the procedure of the review available for inspection at Council Office, High Street, Elgin until such time as the review is determined. It is also available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

X Full completion of all parts of this form

X Statement of your reasons for requiring a review.

X All documents, materials, and evidence which you intend to rely on (e.g., plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g., renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed	*Jane Shepherd*	Date	26 May 2021

PLANNING STATEMENT

(in support of the review of planning decision
reference 20/01658/APP)

SITE: SITE SOUTH-WEST OF SOURBANK FARM, RAFFORD, FORRES

PROPOSAL: ERECT 1.25 STOREY DWELLING HOUSE AND DETACHED TIMBER GARAGE
CLIENT: GRAEME PROCTOR

Jane Shepherd MRTPI
25 May 2021

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This Planning Statement including Appendices may only be used by Graeme Proctor for the purposes provided, in support of an appeal to the Moray Local Review Body for application 20/01658/APP.
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SECTION 1: INTRODUCTION

SECTION 2: PLANNING CONTEXT

SECTION 3: POLICY ASSESSMENT

SECTION 4: CONCLUSION

APPENDICES:

1: National Planning Policy and Guidance Relating to Housing in Rural and Countryside Areas

2: Scottish Local Planning Authorities (LPAs): LDP Policies and Guidance for Housing for Farm Enterprises and Farm Workers

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SECTION 1: INTRODUCTION

The purpose of this Planning Statement is to draw upon the details as already submitted to demonstrate that the proposed house and garage (planning application reference 20/01658/APP) should have been approved given its compliance with existing and emerging national planning policies and compliance with the principle aims set out in MLDP and associated material considerations.

This Statement is not intended to provide new supporting information but instead to respond to the assessment made in the Officer's Handling Report and the reasons for refusal as outlined in the Decision Notice, by providing additional policy referencing and photographic evidence. These are provided to counter argue the points in the reasons for refusal and those outlined in the Officer's Handling Report. The photographic evidence is also intended to assist the Local Review Body Members given the difficulties in site visits during the ongoing COVID restrictions. Reference to policy and visual aspects during site inspections would have been available and be used by the planning officer in determining this proposal and are not therefore new material.

Given the statutory requirement that all applications should be assessed on their own individual merits against planning policy and material planning considerations, this Statement will concentrate on the consideration of whether the proposals meet the policy requirements in principle as set out in national policy and guidance, and then regarding Policy DP1 (Development Principles) and DP4 (Rural Housing), as included in the reasons for refusal. Relevant and significant material considerations are also presented throughout the Statement, that must be considered in assessing this application.

It is important and specifically requested that the Local Review Body Members read this Statement alongside all the previously submitted Statements and Reports to enable a comprehensive review of all the facts and merits involved in these proposals before making their decision on this case.

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SECTION 2: PLANNING CONTEXT

Previous Planning History

The full planning history is outlined within the Planning Supporting Statement and must be read in full to appreciate the background to this current proposal.

Pre-application 2009-2019

Of most direct relevance is that the applicant, Mr G Proctor has invested heavily in exploring all the various options for a succession house for his son, Mr R Proctor. This has included engagement with the Planning Service at Moray Council from 2009 to the current day. There have also been ongoing discussions with both SEPA and the Moray Transport Team seeking input and solutions to the any detailed design issues that have arisen.

Alternative locations have been explored over the years and these are fully detailed in the Planning Supporting Statement and have included the options of conversions and other sites for a new farmhouse. This exploration has by default accorded with the currently adopted rural development hierarchy by looking at existing properties and conversions but found no feasible options. This has left the only option available being a house in the open countryside, which due to farm's location and the new MLDP, is now located in the newly identified Pressurised and Sensitive Area.

During those discussions with the Planning Service, the current site was identified as an option as far back as 2009 but at that time the site north of the steading was deemed to be the best site to pursue. Unfortunately, whilst permission was granted in 2009, 2012 and 2015 for that site, it soon became apparent that it was incapable of implementation, mainly due to servicing and SEPA related issues.

Having concluded that this remaining gap site was the only realistic remaining option available, a planning application was submitted (reference 19/01599/APP) on the basis that it was envisaged that the original pre-application advice would be honoured. Full details of this proposal, consultation and planning responses are provided in the Planning Supporting Statement. In summary, there were road safety issues relating to visibility splays (from the Transport Team) and concerns in principle regarding landscape and visual impacts relating to the cumulative build up of housing in the countryside (from the Planning Team). The application was subsequently withdrawn to enable discussion and for an acceptable proposal to be drawn up for re-submission.

Pre-application (post 19/01599/APP and prior to 20/01658/APP)

Following withdrawal of application 19/01599/APP, the applicant further engaged with the Transport Team to achieve an acceptable solution by creating an alternative location for the access. This then led to a different access being created to meet those requirements. As a result, further

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discussions were also necessary with SEPA to ensure that the required crossing over the Rafford Burn for access purposes met with their detailed requirements.

Further discussions took place with the Planning Team and research undertaken, including the commissioning of an Agricultural Needs Assessment, with the view to creating a strong case for an exception to policy such that would demonstrate that the proposal was required to meet a specific and affordable housing need in an appropriate location relating to this well-established farming business. A detailed landscape assessment was also undertaken.

Planning Application (the subject of this Review)

Full planning permission to Erect a 1.25 storey dwelling house and detached timber garage (on Site South-West of Sourbank Farm, Rafford, Forres, Moray was subsequently sought on 7 December 2020 and validated as application 20/01658/APP on the same date. The application was submitted on the basis that a strong case for an exception to policy formed part of the submission.

SUBMISSIONS

In support of the planning application, the following documents were provided:

- GRP/09/19/001A – Location Plan
- GRP/09/19/002C – Site Plan
- GRP/09/19/003A – Floor Plans
- GRP/09/19/004A - Elevations
- GRP/09/19/005A – Garage Plans
- GRP/09/19/006A – House Section
- GRP/09/19/007 – B9010/U102E Junction
- Visual Impact
- Design Statement
- Agricultural Needs Assessment
- Site Investigation and Drainage Survey
- Culvert Proposal
- Planning Supporting Statement

As part of the planning process, the following additional information was provided on request of the planning officer:

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- Details of the driveway materials
- Confirmation of payment of developer contributions
- Further details relating to the Agricultural Needs Assessment

It is of note that other than the plan drawings, there are no supporting documents available online under the application reference or the additional information supplied above. It is important that the Local Review Body Committee has full access to all the submission papers as part of the Review process.

REPRESENTATIONS

In response to neighbour notification, four representations were received and raised the following issues:

Alternative Options for housing for the applicant and Need:

Much is made of there being alternative options, including the lapsed permission for the site north of the Steading, other houses for sale in the area, sale of land by the applicant etc. These are not material planning considerations. However, for completeness, the applicant is content to advise the rationale behind the current location for the proposed house, which was also detailed in part within the Planning Supporting Statement and the Agricultural Needs Assessment.

The fact is that the applicant has spent over 12 years looking at all the available options, and these have been discounted for genuine practical and financial reasons, all as detailed in the Planning Supporting Statement. Affordable housing for farmers in rural areas is in short supply. Housing must be location-specific to suit operational needs.

It is also worth noting that it not just the cost of building a house in this specific area that is of relevance. Building a house in this area involves servicing provision, roads requirements and drainage solutions. Each of these issues present problems that must be overcome and has resulted in the discounting of several seemingly achievable options in the vicinity of Sourbank farm by those objecting.

On top of eliminating options based on operational needs, practicalities and financial constraints, the applicant has also had to factor in planning restrictions and requirements. It has therefore not been easy to find a site that ticks all the boxes.

Given the operational needs of rural farming enterprises, the building of a new house remains the most affordable option over the alternative of managing the farm holding from an existing house in the wrong location, involving unnecessary and unsustainable (cost and time) journeys. The alternative of moving into an existing house is also not affordable to a young farmer. The cost of housing in rural areas is escalating, particularly since

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COVID as the area has become more desirable, making it impossible for farm workers and lower paid workers in rural businesses to find affordable accommodation in appropriate locations relative to the land and animals they manage.

Whilst agricultural need does not form part of the criteria or options available within the formally adopted policy in Moray, it presents a bona fide need for housing in Scotland, particularly in rural areas. As demonstrated in Appendices 1 and 2 of this Statement, housing for rural business, including specifically farming enterprises, is catered for as part of national planning policy and in local planning policies in all but Shetland and Moray Councils. Therefore, whilst this need and provision may not form part of Moray's planning policy, it is the applicant's assertion that their policy should deal with this genuine housing need and provide a specific policy reference to enable its provision. The alternative is that the rural economy in Moray will be seriously affected due to lack of accommodation for the continuation of farming enterprises as farmers retire and young workers are not encouraged or enabled to continue the family business or indeed enter farming businesses anew. It is accepted that this does not currently form part of the MLDP. However, the strength of the applicant's case should be considered as an allowable departure until such a time that policy exceptions may be available.

The final fact is that this proposal is now the only remaining option available to the applicant.

Precedent

As stated in this Statement and agreed in the Officer's Handling Report, each application must be dealt with upon its own merits against the Local Development Plan and material planning considerations. The outcome of this application would not create a precedent for this area since to do so, a further application presenting the same or similar merits would have to occur.

It is extremely unlikely that there is another farmer at Sourbank or within the vicinity who has exhausted all the options for alternative housing through the need for succession planning for their farming business. Furthermore, Moray Council has already indicated in the Officers Handling Report that this has not been an issue in the past and that is one of the reasons why there are no policy or exceptions provided for this scenario in the MLDP. The fear of the floodgates opening due to the Council being inundated by applications for new housing for farmers is therefore unfounded.

Drainage, Services Infrastructure, and Refuse Collection

Following extensive discussions with SEPA and the Moray Flood Risk Management, a scheme has been submitted which is to their satisfaction.

Similarly, the scheme has been designed to ensure that there will be electricity and water connections. Connection to electricity and a fast broadband are not material planning considerations.

Adequate refuse storage is provided in the proposal and this has been accepted by the Council.

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Any objections on the grounds of flooding, connections to services and refuse storage provision are therefore unfounded.

Road Safety

Following extensive discussions with Transportation Team, a scheme has been designed to their satisfaction. This involves the creation of visibility splays, at the applicant's cost. The addition of one single house for a farmer who already uses the local roads to access the farm will not cause additional traffic that the road network is not capable of dealing with, a fact that the Transportation Manager has agreed with.

Any objections on the grounds of roads matters, traffic and road safety are therefore unfounded.

Residential Amenity and General Amenity Issues

As identified in the Officer's Handling Report, there would be no significant impact upon the amenities currently enjoyed by nearby residents due to its proximity in relation to nearby properties and the ownership of the track.

The light pollution generated from one additional house in this area would be minimal. If there was a local issue of this nature, then the existing houses would not have gained planning permission, nor indeed other housing within the Moray area.

Any objections raised on amenity issues are therefore unfounded.

Other Issues

As confirmed in the Officer's Handling Report and by the applicant, there would be no impact upon recreational users of the Rafford Walk.

It is of note that only two comments are raised regarding the landscape and any impact upon it, meaning that it is not a contentious issue for local people. The two comments were:

(1) the house would be visually obtrusive from the B9010 and footpath network, and,

(2) the view of Blervie Castle would be obscured.

The latter point is not supported in the Officer's Handling Report.

The Planning Supporting Statement together with this Statement deals with the former point in detail below under the Landscape Assessment and Policy Assessments.

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Furthermore, it is of note that the developments that have taken place and are taking place at Blervie (see Photographs 11-15 in the Material Considerations Section of this Statement) are examples of how housing development allowed by Moray Council have and are having the impact of involving cumulative build up and causing harm to the setting of Blervie Castle and to the surrounding rural landscape.

In conclusion, many of the objections are covered off in more detail in the Officer's Handling Report and demonstrate that the issues raised (excepting the point in principle of a new house in the Pressurised and Sensitive Area and the one of the landscape issues above) are not of concern to the Council as they have been dismissed or categorised as being non-material that cannot be considered.

CONSULTATION RESPONSES

Consultation responses were received from: Environmental Health, Contaminated Land, Transportation Manager, Planning and Development Obligations, Moray Flood Risk Management, and Scottish Water. No objections have been raised by any of these consultees. Objections have been raised by Development Planning based on Policies DP1 and DP4 and these will also be dealt with in the Policy Assessment in this Statement.

CONCLUSION RELATING TO REPRESENTATIONS AND CONSULTATION RESPONSES

In conclusion, the planning application did not generate any expert objection, other than those from Development Planning, or any demonstrable third-party objections.

DECISION NOTICE

Despite the merits of the proposals as outlined in the submission, the planning application reference 20/01658/APP was refused on 30 April 2021 as follows:

The development is contrary to Policy DP4: Rural Housing and DP1: Development Principles of the Moray Local Development Plan 2020 for the following reasons:

1. **The introduction of a new house in the identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as negatively impacting on the character and appearance of this rural area.**
2. **There is not an acceptable level of enclosure and containment for a new house.**
3. **Together with other development in the immediate vicinity it would have the effect of detrimentally altering the rural character of the area contributing an unacceptable build-up of housing.**

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4. **It will contribute to a sequential visual effect of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site in terms of its siting, particularly in relation to existing new houses in the area.**
5. **There is no policy exception to allow new housing in Pressurised and Sensitive areas on the basis of agricultural need and the supporting information provided is not considered sufficient to outweigh the Local Development Plan policies.**

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SECTION 3: POLICY ASSESSMENT

General

The most important point to note in reviewing this planning case is that:

It is a statutory requirement that all planning applications must be considered on their own planning merits against planning policy and other material considerations.

The primary document for planning decisions is the Moray Local Development Plan 2020.

In addition, national policies provide visions, objectives and aims for policy making in Scotland and reference is made both in Appendix 1 of this Statement and here to relevant national policy statements promoting the approval of this proposed development meeting a genuine housing need.

National Policy

Current national planning policy is provided through the National Planning Framework (NPF3) and Scottish Planning Policy (SPP).

A full assessment of national policy and guidance is outlined in Appendix 1 of this Statement, which provides details relating to NPF3 (and the emerging NPF4) and SPP 2014 (as revised December 2020). An assessment is also provided regarding other relevant national policy and advice documents (Circulars 04/1998 and 3/3012, and PAN 72)

It is not considered that the planning visions, objectives, aims and policy principles, as outlined in Appendix 1 of this Statement and here, have been sufficiently acknowledged in the Officers Handling Report or applied in their interpretation of local policy to allow this application to be approved based on agricultural need. The Report merely states there is no policy exception available, and the supporting information provided is not enough to outweigh LDP policies, and therefore on that basis it should be refused. The material considerations are disregarded.

Further consideration of the relevant policies within NPF3 and SPP is necessary to enable a fair and balanced assessment of the proposals that are before the Local Review Body for review.

NATIONAL PLANNING FRAMEWORK 3 (NPF3)

The salient point in NPF3 is '*homes which meet our needs'*.

Outwith the Central Belt, Scotland is predominantly a rural area. It only survives and thrives due to the existence of rural enterprises, of which the backbone is farming. Without farming enterprises, the economy within rural areas of Scotland would be in serious decline. It is imperative that support

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is given to the continuation of these businesses and to the provision of homes to meet the needs of those who work in farming, particularly where a genuine case is presented.

Increased population growth and support for rural-related enterprises remain vital to sustain rural communities long into the future, in line with NPF3's long-term spatial planning framework. NPF3 seeks to ensure that development in rural areas is not unnecessarily constrained and sees a continuing need for new housing and a flexible approach to successfully achieve this.

As stated previously, following an assessment of LDPs throughout Scotland that similarly cover rural areas (see Appendix 2 of this Statement), policies do exist to ensure that cases of genuine housing need for farming enterprises can be considered without the need for exceptions to be made or a departure from policy to be considered.

In refusing this planning application, the Council are taking an unnecessary constrained approach which is neither flexible nor catering for the continued need for new housing to meet the needs of succession planning for farming families, who have farmed the land for centuries, or indeed the need for farm labour.

Moray Council is therefore out of line with the other Scottish rural planning authorities in this respect. This is prejudicial in that because the Proctor's farming enterprise is in the Moray area it is not afforded the same consideration or opportunities to meet succession and labour needs.

This development to meet a specific housing need in relation to a well-established rural-related enterprise, is required to sustain the surrounding rural communities and beyond.

A flexible approach to considering this application for this specific housing need is also in the spirit of NPF3, which is not found in MLDP policies, unlike the other 29 rural Local Planning Authorities in Scotland.

SCOTTISH PLANNING POLICY (SPP) (as revised 18 December 2020)

SPP takes up the NPF3 requirement for planning policies to be '*flexible enough to adapt to changing circumstances over time.'*

Whilst full details of the Proctor's farming enterprise have been provided in the planning submission, including a detailed Agricultural Needs Assessment and Planning Supporting Statement, it has not been acknowledged through the consideration of this planning application that this is a long-standing farming enterprise that has been passed through four generations of the Proctor family.

The changing circumstances here involve a succession planning process for this farming enterprise; a long-established practice to ensure the continuation of farming in Scotland and beyond.

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The Proctor family are continuing to take full responsibility for the future of this farming enterprise in Moray. There is of course a supply chain for their produce and not only does the Proctor family manage their own business, but they also directly and indirectly support other rural businesses in the area, through the supply of that produce.

Like all farming families, there is an inherent responsibility for succession planning, and this also includes forward thinking in terms of how the business can be sustained into the future in the most efficient and effective way. Farming enterprises already readily adapt to the changing circumstances over time and this flexibility and sustainable ethos is fully supported by SPP. It is likely that the applicant's son will introduce his own way of working to improve efficiencies into the future to ensure the business is sustainable.

No other business takes succession planning seriously and it does so because the stakes are high, not only for the family itself but for the local community and the future of the Scottish economy. Without assistance through government policies, including planning, it is unlikely that such businesses will be able to survive into the future. This is evidenced later in this Statement using quotations from relevant parties, including the Scottish Farmer's Union, and as detailed under the consultation for the emerging NPF4 in Appendix 1 of this Statement.

The SPP is therefore in support of the proposed application in that it seeks to provide a home to support continued sustainable economic growth and regeneration of this farming enterprise.

Local Policy

Moray Local Development Plan (MLDP) 2020 is the current LDP against which all planning applications are to be considered.

MORAY LOCAL DEVELOPMENT PLAN (MLDP) 2020

Whilst the assessment of this proposal against the detailed policies within MLDP are covered later in this Statement, it is important to first demonstrate alignment of the proposals with the aims, objectives, and spatial strategy within the MLDP.

One of the aims of the MLDP is a '*growing, diverse and sustainable economy.*' It also aims to '*direct the right development to the right place.'*

It is asserted in this Statement that the provision of housing for this specific agricultural need assist both with the future needs of this farming enterprise and is ensuring that this need is met in the '*right'* and sustainable location.

The MLDP Spatial Strategy refers to Placemaking and the associated Social, Environmental and Economic elements.

Under Social, reference is made to retaining young people, attracting working age population, providing for ageing populations, providing a range and choice of house types, tenures, and locations. The provision of associated housing to meet the needs of farming enterprises meets these social

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requirements in retaining younger farmers and allowing for the retirement of older farmers (through the succession process). It also meets social requirements by allowing housing to meet the needs of farmers on a locational basis.

Under Economic, reference is made to providing opportunities for existing businesses to grow through the creation of attractive places to work and live and aligning development to support business growth. Supporting rural enterprises, particularly where they are essential to the future of the rural (including farming) community assists in making the economy strong and resilient.

Under Environmental, reference is made to supporting a low carbon economy and protecting and strengthening landscape character. Locating housing associated within farm enterprises is sustainable in terms of locating workers next to their workplace and thereby reducing the need to travel.

The aims, objectives, and spatial strategy of the MLDP are therefore in support of the proposed application in that it seeks to provide a home to support continued sustainable economic growth and regeneration of this farming enterprise.

This support is of relevance and a material consideration even if the principle policy for housing outlined in Policy DP4 may not completely align or follow through these intentions of the MLDP.

In terms of the detailed policies in the MLDP,

The proposals are stated to comply with Policy PP1: Placemaking and therefore it must be assumed that the above matters of Social, Economic, and Environment are accepted and complied with in principle.

The proposals are also stated to comply with Policies PP3 (Infrastructure and Services), DP2 (Housing), EP12 (Management and Enhancement Water) and EP14 (Pollution Contamination Hazards)

A full assessment against all the relevant detailed planning policies in MLDP was provided in the Planning Supporting Statement within Pages 42 – 47 and found to fully comply in the Officer's Handling Report.

The following are the policies listed in the Officer's Handling Report and the Decision Notice as being relevant to the refusal of this proposal. Table 1 outlines those policies listed in the reason for refusal.

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POLICY	POLICY STATEMENT
DP1: DEVELOPMENT PRINCIPLES	This policy applies to all development and will be applied reasonably taking into account the nature and scale of a proposal and individual circumstances. Development will be supported if they conform to the relevant LDP policies, proposals and additional guidance, meet the following criteria and address their individual and cumulative impacts. The policy then sets out 10 Design Criteria, 9 Transportation Criteria, and 8 Water Environment, Pollution and Contamination Criteria. The Officer's Handling Report confirms general compliance with Transportation and Water Environment Pollution and Contamination Criteria. and therefore, it is only the specific Design Criteria and one design criteria raised under Transportation that are of relevance in the reasons for refusal. These are: Design: (a) Scale, density, and character must be appropriate to the surrounding area and create a sense of place (see Policy PP1) and support the principles of a walkable neighbourhood. (b) The development must be integrated into the surrounding landscape, which will include safeguarding existing trees and undertaking replacement plating to include native trees for any existing trees that are felled, and safeguarding any notable topographical features (e.g., distinctive knolls), stone walls and existing water features by avoiding channel modifications and culverting. A tree survey and tree protection plan must be provided where mature trees are present on site or that may impact on trees outwith the site. The strategy for new tree provision should follow the principles of the 'Right Tree in the Right Place.'

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	(c) Make provision for new open space and connect to existing open space and provide details of the future maintenance of these spaces. A detailed landscape plan must be submitted. (d) Demonstrate how the development will conserve and enhance the natural and built environment and cultural heritage resources, retain original land contours, and integrate into the landscape. (e) Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight, or overbearing loss of amenity. (f) Proposals do not result in back land development or plots that are subdivided by more than 50% of the original plot. (g) Pitched roofs will be preferred to flat roofs and box dormers are not acceptable. (h) Existing stone walls on buildings and boundaries must be retained. Alterations and extensions must be compatible with the character of the existing building in terms of design, form, choice of materials and positioning and meet all other relevant criteria of this policy. (i) Proposals must orientate and design buildings to maximise opportunities for solar gain. (j) All developments must be design so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions for their use. Transportation: (b) Car parking must not dominate the streetscene and must be provided to the side or rear and behind the building line.

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DP4: RURAL HOUSING	A rural housing hierarchy is set out as being: 1. Rural groupings 2. Re-use and replacement of traditional and slate buildings in the countryside 3. Open Countryside Within the third area, the open countryside, housing is directed to the least sensitive locations (Areas of Intermediate Pressure) for which Siting and Design Criteria are outlined. Opportunities are limited to single houses. Due to the landscape and visual impacts associated with build-up and landscape and environmentally sensitive areas, no new housing is permitted within the identified Pressurised and Sensitive areas. The above Siting and Design criteria do not therefore comply here. If housing were permitted as a departure under this policy therefore only the Design Criteria outlined in Policy DP4 would apply.

Table 1: Policies referred to in reasons for refusal from MLDP2020

The determination of this application therefore rests with points of principle; should a house to meet the needs of the Sourbank farming enterprise be allowed here and does it cause significant harm to the rural landscape such that it should be refused.

The conclusion asserted here on behalf of the applicant is that there is a strong case for approval for this proposal, which is backed up by national planning policy and a detailed landscape assessment, neither of which is acknowledged fully within the Officer's Handling Report before concluding that the application should be refused for the five reasons outlined.

In the first instance on a point of principle, it is relevant to consider the proposal against Policy DP4: Rural Housing, which is supplemented by the case set out under the Material Considerations section of this Statement. Reference should also be made to the submitted Planning Supporting Statement and the Agricultural Needs Assessment.

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POLICY DP4: RURAL HOUSING

Regarding Policy DP4, the reason for refusal concludes:

There is no policy exception to allow new housing in Pressurised and Sensitive areas based on agricultural need and the supporting information provided is not considered sufficient to outweigh the Local Development Plan policies.

ASSESSMENT OF PROPOSALS AGAINST POLICY DP4

The site is in a Pressurised and Sensitive Area. No housing is allowed in such areas.

As such, in strict policy terms, it is accepted that the proposals do not fully comply with Policy DP4 because there are no exceptions available in the written policy that would allow any housing in the designated Pressurised and Sensitive areas.

As stated in the Officer's Handling Report, this policy seeks to direct new housing to appropriate locations within the countryside promoted by a rural development hierarchy.

Full details supporting an approval of this proposal as a departure from Policy DP4 are comprehensively outlined in the submitted Planning Supporting Statement, the Agricultural Needs Assessment and below in the Material Considerations section of this Statement.

POLICY DP1: DEVELOPMENT PRINCIPLES AND DP4: RURAL HOUSING

Regarding Policy DP1 and DP4, the reasons for refusal relating to detailed landscape issues conclude:

The introduction of a new house in the identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as negatively impacting on the character and appearance of this rural area.

There is not an acceptable level of enclosure and containment for a new house.

Together with other development in the immediate vicinity it would have the effect of detrimentally altering the rural character of the area contributing an unacceptable build-up of housing.

It will contribute to a sequential visual effect of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site in terms of its siting, particularly in relation to existing new houses in the area.

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ASSESSMENT OF PROPOSALS AGAINST POLICY DP1 and DP4

This section will first deal with each of the relevant reasons for refusal before re-stating and supplementing the argument that the proposals fully comply with Policy DP1, against each of the design criteria set out. It must be acknowledged that the assessment of any impact upon the landscape related to policy DP4 is completely misdirected, as detailed below.

The correct assessment should be based on:

- Whether the proposal triggers any of the siting and design indicators as detailed in the MLDP guidance.
- Whether there is an unacceptable landscape and visual impact on the countryside, using the SNH Review and assessments on site and of the surrounding area.

It was found that there were no impacts using both areas of these assessments as fully detailed in the Planning Supporting Statement and verified by photographic evidence.

Whilst the applicant did provide a comprehensive assessment in the Planning Supporting Statement (Page 34) relating to the siting and design criteria in Policy DP4, (which is incorrectly being used to refuse this application), this was merely to demonstrate that notwithstanding full compliance with the correctly applied assessment above, it still complied with those criteria for assessment of housing in the Areas of Intermediate Pressure. It is demonstrated that had the site been in the adjacent Areas of Intermediate Pressure, then the proposed house would comply with those criteria and therefore it has been sited and designed to an appropriate high standard.

It is also important to note that the four stated reasons deal with placemaking principles. The proposals are stated to comply with PP1: Placemaking in the Officer's Handling Report. The assumption therefore is in full compliance with placemaking principles, which include an assessment of developments within their surrounding context. It is confusing that the proposal can be agreed as being compliant with PP1, yet in complete contradiction found not to be acceptable in siting terms under another policy.

The four reasons stated above serve to overstate a mis-directed and perceived harm to the local rural landscape. The wording is also unclear regarding exactly what detailed or significant harm is caused and how this aligns with the correct policy requirements.

Specifically, the wording used in the reasons for refusal cross references the siting criteria outlined in Policy DP4, which does not relate to the location of this specific site and therefore cannot correctly be applied. Non-compliance with these criteria cannot therefore be stated as reasons for refusing this application.

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There is also a failure to appraise the proposals to assess whether any of the Siting or Design Indicators set out in the associated adopted guidance are triggered to demonstrate harm being caused. These Indicators and guidance are not mentioned in the Officer's Handling Report, yet they are relevant to this case.

It is instead asserted by the applicant that for a proposal to fail to comply with Policy DP1 and DP4 in terms of landscape impact it must be shown that the indicators are triggered from Policy DP4 and the wording of the Policy DP1 is not complied with. Those criteria are the correct tests for this proposal and are dealt with in detail below.

Dealing first with each of the standalone reasons for refusal in turn:

Reason for Refusal 1: The introduction of a new house in the identified pressurised and sensitive location would have a detrimental landscape and visual impact as well as negatively impacting on the character and appearance of this rural area.

It is wrongly assumed in the Officer's Handling Report that just because the new house is in the identified area it will automatically have a '*detrimental landscape and visual impact'* and will *'negatively impact (sic) on the character and appearance of this rural area'.*

This assumption is without foundation. This assertion goes against the statutory requirement that each application must be considered on its own individual merits and this impact cannot be assumed without a full assessment being undertaken of the specific site and the case and merits put forward by the applicant. It is the applicant's assertion that the wrong assessment has been carried out and therefore the wrong conclusions are made.

The applicant's assessment is as fully outlined in the Planning Supporting Statement and involves reference to the Scottish Natural Heritage's (SNH) Landscape Review of the area (Page 28 of the Planning Supporting Statement), a site context assessment and photographic survey, and an assessment against well-established landscape principles. The full landscape assessment is outlined on Pages 27 – 34 of the Planning Supporting Statement, which specifically demonstrates that regardless of the MLDP's identification of a Pressurised and Sensitive Area, exceptions can be made, and the proposal specifically complies with the advice set out by SNH, the government experts in such matters, for this area in Moray.

The Officer's Handling Report makes no reference to the applicant's assessment nor rebuts any of these demonstrated and detailed findings. This is of concern to the applicant, particularly given the extensive attention paid in detail to the representations covering a substantial part of their Report.

The Siting and Design Indicators identified in the Moray Policy Guidance Note on Cumulative Build Up (Pages 53 – 54 of the MLDP) should have been used to identify whether there is an impact being created in the first instance but are not used in the Development Planning consultation response or the Officer's Handling Report.

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It is incorrect and irrelevant for an assessment against the siting and design criteria in Policy DP4 (as outlined on pages 7 and 8 of the Officer's Handling Report). The proposals are stated to not comply with siting criteria 1 and 2, which are dealt with in the remaining three reasons for refusal.

Notwithstanding the point that these criteria have been incorrectly applied, it is of interest that the proposals are not stated as failing to comply with any of the design criteria nor any specific appraisal or mention of the proposed design, use of materials, scale, form etc, suggesting the design is acceptable.

The following Photographs 1 – 5 demonstrate that the alleged impact upon the rural landscape is unfounded.

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Photograph 1: View towards Site from public road U102E

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Photograph 2: View towards Site from public road U102E

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Photograph 3: Zoomed View of Site from public road U102E

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Photograph 4: View of Site from public road U102E

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Photograph 5: View of Site from public road U102E

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Reason for Refusal 2: There is not an acceptable level of enclosure and containment for a new house.

This is stated as a standalone criterion and reason for refusal referenced to the proposals thereby being contrary to Policy DP1 and DP4. However, this criterion does not apply, as detailed above. It does not relate to proposals in the Pressurised and Sensitive Area. It cannot therefore be used to support a reason for refusal.

Notwithstanding this point, the applicant's submission details that there is in fact a full enclosure and containment for this proposed house. This is clearly shown on Page 8 of the Planning Supporting Statement in Photos 2 – 5. This proposed triangular-shaped housing site is fully bounded on two sides with mature planting, comprising trees and shrubs along these sides and in the bottom corner (as approaching the site from the south). Along the track from which the access is to be taken, there is further mature landscaping as also shown in the photographs. It is only on the south-west side that there are no trees.

The following three additional photographs fully demonstrate the tree backdrop on two sides and landscaped containment on three sides. The views taken from the road both in the Planning Supporting Statement and here as Photographs 6 - 8 show that the house is fully contained and there are no impacts on the rural landscape from the viewpoints, and in most circumstances the house would be barely visible. This is demonstrated in Photographs 1 – 5 above.

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Photograph 6: View towards the Site from the proposed access to the the South-West (showing the extensive treed/landscaped site boundaries)

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Photograph 7: Panoramic View of the Site from the Field to the South-West of the Site (showing extensive landscaped enclosure and backdrop)

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Photograph 8: View from Site looking towards Tulloch Cottage (showing the well landscaped North-Eastern boundary/backdrop)

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Furthermore, the landscaping plan as submitted with the planning application also includes a significant area of supplementary tree planting. Notwithstanding this, there is no requirement for housing to be sited within a fully enclosed area surrounded by trees on all sides. To suggest this would be out of character with the surrounding landscape in which most sites accommodating both older and new properties are either open or landscaped on one or two sides only. The SNH landscape review and advice for this area does not reflect this requirement for full enclosure or containment. The housing in Blervie (shown in Photographs 11- 15 below) demonstrates recent approvals for housing that has not required to even be set against a landscaped backdrop on one side of their curtilages.

Reason for Refusal 3: Together with other development in the immediate vicinity it would have the effect of detrimentally altering the rural character of the area contributing an unacceptable build-up of housing.

Reason for Refusal 4: It will contribute to a sequential visual effect of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site in terms of its siting, particularly in relation to existing new houses in the area.

These two reasons appear to be dealing with the same issue of impacts of build-up of housing and are mentioned further in the Officer's Handling Report and it is difficult to understand the difference between these two points of concern being raised. Of issue is these statements being made with assertion of fact but not being backed by any specifically detailed factors causing these stated impacts or what the actual significant harm being caused is here.

As stated above, the Siting and Design Indicators identified in the Moray Policy Guidance Note on Cumulative Build Up (Pages 53 – 54 of the MLDP) should be used to identify whether there is a build up being created in the first instance. These are not mentioned in the Officer's Handling Report to enable the above conclusions to be made.

These Indicators have been used in the applicant's case to demonstrate that there is no trigger of these Indicators such that a build-up, cumulative or otherwise, would be created here because of this proposed development (Pages 26 – 27 and 29 - 33 in the Planning Supporting Statement).

The comparison of the example of undesirable cumulative build-up (shown in Photo 20 on Page 29 of the Planning Supporting Statement) with the site and its surroundings when viewed from the only public road that the site could be viewed from (shown in Photo 21 on Page 30 of the Planning Supporting Statement) demonstrates that there is no undesirable build up as existing or proposed. Even by zooming in on this photograph (Photo 19 on Page 29 of the Planning Supporting Statement) which is not a '*view experienced when travelling along the roads'* indicating that the proposal would result in an undesirable build-up in the countryside; far from it.

In addition to those photographs taken from the U102E and provided in the Planning Supporting Statement, the following photographs have been taken from the B9010 public road (Photograph 9) and the footpath network (Photograph 10) to demonstrate that the houses at Sourbank are barely visible from this public road and therefore the new house and a cumulative build-up of houses will not be experienced from these views as alleged.

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Photograph 9: View towards Sourbank from B9010 public road towards Rafford in the distance

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Photograph 10: View towards Site from Local Path Network

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Reference is also made in the Officer's Handling Report to erosion of the traditional settlement pattern, yet this does not align to the SNH review, which defines the landscape as being '*diverse*' (see next paragraph). It is also worth re-stating that the new houses being referred to have been allowed by Moray Council under previous and recent policies for occupants with no specific need to be in the countryside.

The applicant's proposal involves building one modestly proportioned house within an existing small cluster (comprising a handful of houses and a farm steading), barely visible from the viewpoint from the road (Photo 21 in the Planning Supporting Statement) within a backdrop of a 'diverse' landscape with mixed woodlands, scrublands, and irregular rolling pastures, which are intercepted by many traditional farm buildings, often partially set within woodland backdrops (SNH). Due to the existing topography and mature landscaping, even the existing houses at Sourbank are not visible as one group and only glimpses are afforded of some from different view points.

Incidentally, the house to the right of Photo 21 in the Planning Supporting Statement (identified as the white building) was only recently constructed and allowed under MLDP's recent policies, yet it did not cause the significant harm now being alleged for this proposal.

Having rebutted the written Reasons for Refusal 1 – 4 above, a brief assessment is now necessary against the correct criteria in Policy DP1 relating to the siting, design and landscape issues raised since this is the policy being asserted against the refusal reasons.

Reference should again be made to the details provided in the submission, including the Planning Supporting Statement relating to siting, design, and landscape matters. The policy criteria are set out below (as previously identified in Table 1) and below each one, the applicant's case is presented.

Design

(a) Scale, density, and character must be appropriate to the surrounding area and create a sense of place (see Policy PP1) and support the principles of a walkable neighbourhood.

It has been confirmed in the Officer's Handling Report that the proposals comply with Policy PP1. There has been no assessment or claim that the scale, density, or character of the proposals are inappropriate to the surrounding area.

(b) The development must be integrated into the surrounding landscape, which will include safeguarding existing trees and undertaking replacement planting to include native trees for any existing trees that are felled, and safeguarding any notable topographical features (e.g., distinctive knolls), stone walls and existing water features by avoiding channel modifications and culverting. A tree survey and tree protection plan must be provided where mature trees are present on site or that may impact on trees outwith the site. The strategy for new tree provision should follow the principles of the 'Right Tree in the Right Place.'

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No trees are being lost or impacted because of this proposal. The topography of the land is unchanged. No stone walls are lost. The burn is necessarily culverted to create an access into the site. However, no objections have been received from SEPA or the Moray Flood Risk Team on flooding grounds. Additionally, no consultee objections have been raised on this matter in the Officer's Handling Report.

Substantial tree planting is proposed as shown in the landscaping scheme submitted. No consultee objections have been raised on this matter in the Officer's Handling Report.

(c) Make provision for new open space and connect to existing open space and provide details of the future maintenance of these spaces. A detailed landscape plan must be submitted.

The plot includes a garden. A landscaping plan was submitted for assessment. The existing Rafford Walk connecting Sourbank to the local area is unaffected. No consultee objections have been raised on this matter in the Officer's Handling Report.

(d) Demonstrate how the development will conserve and enhance the natural and built environment and cultural heritage resources, retain original land contours, and integrate into the landscape.

There are no proposed changes to the original land contours and there is no impact upon either the natural or built environment and cultural heritage resources. No objections have been raised on this matter in the Officer's Handling Report.

The proposal, as concluded in the submitted landscape assessment, is demonstrated to integrate into the existing landscape, contrary to the findings in the Officer's Handling Report. The applicant's case on this is provided within the submission documents and elsewhere in this Policy Assessment section of this Statement.

(e) Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight, or overbearing loss of amenity.

The proposals have been demonstrated to have no impact upon residential amenities in terms of privacy, daylight or being overbearing. Whilst objections were received from neighbours, no objections have been raised on this matter by the Officer in their Handling Report.

(f) Proposals do not result in back land development or plots that are subdivided by more than 50% of the original plot.

This is not applicable as the proposal does not result in back land development or plots that are subdivided by more than 50% of the original plot.

(g) Pitched roofs will be preferred to flat roofs and box dormers are not acceptable.

The proposed house and garage have pitched roofs. No box dormers are proposed. No objections have been raised on design matters by the Officer in their Handling Report.

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(h) Existing stone walls on buildings and boundaries must be retained. Alterations and extensions must be compatible with the character of the existing building in terms of design, form, choice of materials and positioning and meet all other relevant criteria of this policy.

No stone walls on buildings or boundaries are affected. All the boundaries to this site are either open or bounded by trees/shrub landscaping or post and wire fencing. This is a proposal for a house not an alteration or extension. The design and form involve a traditional form, scale and design using traditional and appropriate materials. No objections have been raised on this matter by the Officer in their Handling Report.

(i) Proposals must orientate and design buildings to maximise opportunities for solar gain.

The proposed house has been orientated and designed to maximise opportunities for solar gain. No objections have been raised on this matter by the Officer in their Handling Report.

(j) All developments must be design so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions for their use.

The proposed house has been sustainably designed. No objections have been raised on this matter by the Officer in their Handling Report.

Transportation:

(b) Car parking must not dominate the streetscene and must be provided to the side or rear and behind the building line.

The proposed garage is of a proportionate scale and located to the side to be subservient to the main dwelling. As such it will not dominate the 'streetscene'. No objections have been raised on this matter by the Officer in their Handling Report.

It is therefore concluded, that through applying the correct design criteria as outlined in Policy DP1, the proposals fully comply in this respect.

POLICY CONCLUSION

Planning policy is required to be flexible, as identified above within national policy, to ensure the ongoing resilience of the Scottish rural economy. Planning policy is clear that housing should be provided for all the needs of the community, and that should include those families who are willing to take on the hard work involved in running farming enterprises 24/7 for the benefit of the local community and Scotland's rural economy. The failure of this proposal to strictly comply Policy DP4. that is neither flexible, supports the ongoing resilience of the Scottish rural economy, nor caters for the housing needs of farming businesses, should not result in the dismissal of this proposal for a genuine housing need.

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Furthermore, the applicant has clearly demonstrated through the submission of a comprehensive landscape assessment, using well-established principles set out by SNH, and Placemaking, that the proposed house would fit within the context of the surrounding housing and would not cause the impact outlined in the MLDP Siting and Design Indicators or significant harm to the rural landscape such that it should be refused under Policy DP1 and DP4, as alleged. The applicant's case is not assessed or mentioned in the Officer's Handling Report. The reasons for refusal are vague, use incorrect criterion, and do not specify or demonstrate the factors that are alleged to cause the perceived harmful impact.

MATERIAL CONSIDERATIONS

INTRODUCTION

It is necessary to restate the statutory requirement that the determination of planning applications must take into account any material planning considerations. There are fundamental material planning considerations clearly identified by the applicant to support their application within both the Planning Supporting Statement and the Agricultural Needs Assessment. These are restated and supplemented within this Statement.

Notwithstanding there being no exceptions in Policy DP4, it has been accepted that there is demonstrated agricultural need here. This has been agreed by the Development Planning Team and within the Officer's Handling Report. Yet this application has been dismissed on the basis that the Policy DP4 is of paramount importance in terms of restricting any housing in the Pressurised and Sensitive Areas in Moray.

In accordance with national planning policy, flexibility should be given to the provision of housing for farmers, irrespective of this designation. This flexibility, as previously established, is afforded every farmer in Scotland across 29 other rural Local Planning Authorities (except for those located Moray and Shetland) through adopted LDP policies (Appendix 2 of this Statement).

As with all farming enterprises, a farm holding, and associated structures are fixed entities and cannot just move to be nearer to the planning policy led desired housing locations in rural groupings or settlements. Farming is not like other businesses, that can relocate, as necessary.

Whilst flexibility is not available in Policy DP4, what is forgotten is that exceptions are in fact available to decision-makers through departures from policy.

The option of agreeing a departure from adopted policy is always available to Officers, Planning Committee Members, and the Local Review Body Committee Members on behalf of Moray Council should they consider a strong case has been made for this specific housing need. Any potential concerns regarding precedent or weakening a policy for the determination of future applications (particularly a newly adopted policy) are unfounded given the specific nature of the need presented. Each case must be dealt with upon its merits, as set out in statute. Government policy is clear that if a strong case is presented and found to be acceptable there should be no concerns regarding granting such proposals for housing for farming or other rural enterprises, regardless of the ability to impose occupancy conditions.

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GENERAL MATERIAL PLANNING CONSIDERATIONS

Other Recently Approved Housing in the Area

As mentioned in the Representations section of this Statement, the following Photographs 11 - 15 are of local examples of housing within the vicinity of the application site, that have recently been allowed and built using Moray Council's planning policies, relating to housing in the countryside and placemaking or design matters. These photographs could easily be used in the LDP and guidance as poor examples of what should be avoided.

Whilst it is acknowledged that some of these were approved under previously adopted policies and not the current LDP, they were approved during the period that these policies were emerging and within the last few years. Also of note, under Policy H7 of the previous MLDP the following siting and design criteria were required to be met:

'Reflect the traditional pattern of settlement in the locality and is sensitively integrated with the surrounding landform using natural backdrops particularly where the site is clearly visible in the landscape. Obtrusive development (i.e., on a skyline, artificially elevated ground or in open settings such as the central area of a field) will not be acceptable.'

'It does not detract from the character of setting of existing buildings or their surrounding area when added to an existing grouping or create inappropriate ribbon development.'

'It does not contribute to a build-up of development where the number of houses has the effect of changing the rural character of the area. Particular attention will be given to proposals in the open countryside where there has been a significant growth in the number of new house applications; and'

'At least 50% of the site boundaries are long established and are capable of distinguishing the site from surrounding land (e.g., dykes, hedgerows, fences, watercourses, woodlands, tracks and roadways.'

Whilst access is no longer available for Moray Council planning policies prior to MLDP2015, it is assumed that design criteria did exist to enable assessment of proposals within the rural landscape, which prevented new houses having a dominant and prominent feature in that landscape. Even without such criteria, planners are required as part of their planning assessment to consider such significant material planning matters.

A general assessment of these nearby developments shows that these houses have been granted planning permission contrary to even general siting and design principles and latterly adopted policy and guidance criteria, yet incredibly the applicant's proposals are being criticised on siting and design grounds for the four reasons listed.

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None of these houses were presumably required to be in the countryside unlike the applicant's proposed house, yet they have been allowed. Frustratingly for the applicant, it is the harm they have caused that has presumably now resulted in the embargo against genuine housing need being allowed for in the latest MLDP.

Photograph 11: View of New Build Houses in Blervie from main public road through Blervie looking South-West.

(One complete and the other under Construction, showing prominence and no landscaped enclosure or containment)

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Photograph 12: New Build at Blervie (showing prominence on raised land with no landscape enclosure or containment)

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Photograph 13: View towards Blervie from Local Path Network (showing cumulative build-up of housing in the context of Blervie Castle)

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Photograph 14: Isolated New Build at Blervie (showing prominence and lack of enclosure and containment)

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Photograph 15: New Build at Blervie (showing prominence and lack of enclosure or containment)

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Unlike the applicant's proposed house, these examples demonstrate how harmful housing can be to the rural landscape and historic features within that landscape. These houses prominently stand out on the brow of this hill having a significantly adverse impact upon the rural landscape and the historical Blervie Castle. They fail to respect the local topography and dominate the landscape due to the lack of any natural landscaping features.

These houses include '**no acceptable level of enclosure and containment.'** They have been allowed to progressively build up to resulting in **detrimentally altering the rural character of the area contributing an unacceptable build-up of housing.** They have contributed **to a sequential visual effect of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site in terms of its siting, particularly in relation to existing new houses in the area.** All this proven significant harm, yet they have been allowed.

Changes in policy relating to the principle of locating housing in the countryside aside, Moray Council's assessments and policies on design and landscaping matters should be long standing and have prevented this housing that is so dominant and prominent in the landscape such as these houses.

The applicant's proposed house by direct contrast has an acceptable level of enclosure and containment, results in no cumulative build-up of housing and is not read in association with the adjacent housing.

General Agricultural Needs, Rural Economy, Scottish Economic and Sustainable Development

Reference should be made to the Planning Supporting Statement and the Agricultural Needs Assessment for the detailed case on all these matters.

The first relevant and material planning consideration is that the Scottish economy outside of the Central Belt is reliant upon farming and other rural businesses. Support for those businesses, including through the provision of appropriately located housing, is of paramount importance, as set out in national planning policy. This importance is accepted by 29 of the 31 rural Planning Authorities in Scotland in their LDPs (Appendix 2).

Although well-presented throughout this Statement, as to why a departure from MLDP policy should be applied, it is important to re-iterate this with a clear background to the farming sector and succession planning to aid understanding of this specific agricultural need for affordable housing.

The farming sector is unique in terms of any business within rural areas, and this is also a material consideration in the determination of this application. They are one of the few businesses that embrace succession planning. This is an application for a house for an established and viable farm in the countryside, which is necessary for the future of this farm as unequivocally demonstrated in the submission.

It needs to be acknowledged that farming is a business that is traditionally run by families and handed down the generations. The life cycle and succession of members of that family is a key component to their success. Inevitably older members of the family must retire; albeit they have a significantly longer working life than most professions. Younger members of the family will then take up the reins. Family members cannot all live in

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the one property and as their families expand and they become more involved in the business they have a greater need for onsite accommodation and separate homes.

Farmers needs are also unique due to their requirement to be on site 24/7 on occasion and on an ad-hoc basis at random times to respond to emergencies and animal husbandry needs. They need to work efficiently within those hours and avoid unnecessary time wasting, e.g., commuting needs to be eliminated for time and safety reasons which rules out housing at a distance from the farm enterprise. Reducing the need to travel is also sustainable and supported by NPF3 and SPP policies together with the aims, objectives, and spatial strategy in the MLDP as evidenced in the Policy Assessment section of this Statement. Hence their accommodation needs to location-specific and cannot be sited in rural groupings, settlements or towns and villages.

Significant concerns are constantly being raised by farming bodies (e.g., NFU Scotland, Rural Housing Scotland) and through the national professional press (e.g., The Scottish Farmer, specifically in an article by Gordon Davidson entitled 'Scotland's Rural Housing Crisis', March 2019) with governmental sympathy regarding the lack of consideration being given by associated policy makers to the worsening in availability of suitable housing for succession planning. The NFU have made relevant submissions to the consultation for the emerging NPF4 (as detailed in Appendix 1 of this Statement). This is a problem that is escalating and likely to get much worse in the future without intervention and the provision of positive policies and support for farmers. Other examples of concerns regarding the future of farming enterprises are outlined in the following quotations.

Barclays Bank with reference to farming businesses, have advised that '*having no succession plan for the future of the business can leave the business open to increased risks and uncertainties*.'

According to Savills, '*This transfer of business control and ownership to the next generation is one of the most critical stages in the development of a farming business'* and they explicitly called for the recognition of succession housing for rural businesses in the emerging NPF4.

It goes without saying that the farming sector is essential for both the provision of food locally and nationally, and for the success of the rural economy.

Finally, regarding sustainable development, it is concerning that unfounded criticism has been placed at the applicant's door that there is a need to 'protect against an unsustainable growth in car-based commuting.' The ethos behind this development is one of sustainability and to significantly reduce car-based commuting. The intention is for the applicant's son to live at his place of work and be able to walk to the steading at Sourbank to manage wintering cattle. The proposed house is located to be central within the farm holding. The applicant and his son are currently located an unacceptable distance outwith this farm holding, which is far from ideal and involves commuting to and from the farm on a frequent basis throughout the day and night. The intention is to significantly reduce commuting and not increase it, as is alleged.

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THE APPLICANT'S CASE SPECIFIC MATERIAL PLANNING CONSIDERATIONS

The applicant's detailed material planning case is outlined in full in the Agricultural Needs Assessment and within pages 37 – 41 of the Planning Supporting Statement. The case is based on Facts, Affordability and Functional Needs.

The Facts are repeated here:

- This farming business is a viable entity and is currently run by Mr G Proctor and Mr R Proctor, who carry out all operations.
- This is not an application for a house for A N Other in the countryside.
- The Proctors have acknowledged the importance of their family and community responsibilities and embraced the need for succession planning for their farming business for this 4th Generation succession.
- There is no alternative accommodation within the ownership of the Proctors which has been sold that could have been used.
- There are no other development opportunities on the land within the Proctor's ownership.
- This proposal is based on the specific needs of this farm and not any personal preferences of the Proctor's.
- Provision of a new house for Mr R Proctor is not just a nice thing to have; it is functionally required backed by evidenced agricultural need.

This application should be considered based on this factually honest and open submission, which is for an established farming family to plan for succession of their business to the wider benefit of the rural economy and the local community.

The facts relating to Affordability are also fully outlined in the Planning Supporting Statement on pages 38 & 39 and include details of the housing market in the area, demonstrating the availability of affordable options, and indeed the lack of any options of alternative housing.

The Functional Needs are outlined on pages 39 – 41 of the Planning Supporting Statement and demonstrate an agricultural need, which has been accepted by both the Development Planning Team and as outlined in the Officer's Handling Report; albeit this need is not considered by Officers as a sufficient reason to agree a departure from policy.

The planning assessment of this application does not appear to consider the future of this farming enterprise or the importance of succession planning to realise this. The current refusal of this application has meant that this succession cannot occur and therefore endangers the future of this farming enterprise. Having exhausted all the options, the Proctors do not have a Plan B other than to hope that the Local Review Body fully consider their case and agree to a departure from Policy DP4 along with confirmation that the proposals will not impact on the surrounding rural landscape.

If the Proctor family are unable to take the business forward, then it is extremely likely in the long-term, particularly when the applicant retires, that farming will cease at Sourbank. Furthermore, if the Proctors cannot make the business work with their experience and knowledge, then it is extremely

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unlikely that someone else will take over the reins or be able to operate without suitable onsite residential accommodation. Clearly this is not beneficial to the Proctor family, the local community or Scottish rural economy.

In terms of the specific facts relating to this case, Ross Proctor, the applicant's son, is the legitimate successor under the Agricultural Holdings (Scotland) Act 1991 and working on the farm is and will be their main employment as the succession progresses. This is not a house proposed for a member of the public, who could easily live elsewhere. There is no intention to sell the house privately. It will be owned by the farming business. To sell the house on would be illogical given the agricultural need and specifics of this case, all as fully outlined in the submission documents.

Furthermore, whilst an objector has stated that Balnageith is an ongoing option for the future running of the farm and the family has operated remotely to date without issue. Balnageith is not ideally or practically located for the ongoing management of this farming enterprise. Notwithstanding sustainability issues it would be completely impractical from an operational standpoint to continue to farm remotely. This has proven to be the case with the current arrangements and another reason why the site on the holding has been chosen for the applicant's successor.

Similarly, to conform with Policy DP4, Sourbank Farm cannot be practically or efficiently managed from the suggested rural groupings in Lower and Upper Rafford, or indeed any other policy accepted housing location.

Realistically and practically, from the perspective of the applicant's son Ross, he also cannot continue to live with his father at Balnageith. He needs his own independent on-site accommodation for his future and that of his family.

Furthermore, from the applicant's perspective, he has given his whole working life to this farm and cannot just move away from his family into a house elsewhere. It is unreasonable to expect him to uproot and move away from his close family and have his support in his senior years taken away. During the succession process there is an agreed reciprocal family support between the farming generations involving childcare and elderly care and the two families need to be locationally close.

It is well documented by the Scottish Government that farms have been significantly affected by the lack of successors or young people choosing farming as a career, resulting in existing farmers working well beyond retirement age and a significant lack of available labour. It is notable that the applicant's son has chosen this career to continue the family business.

This application appears to be being unfairly treated as a new house for A N Other in the countryside. This is not the case. Yet the other newer houses in the vicinity have been permitted under recent policy, catering for individuals with no locational need to live in the countryside. This proposal is for the genuine need to allow a farmer to enter the farming succession process to enable him to pass on the reins of Sourbank farm to his son.

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CONCLUSION ON MATERIAL CONSIDERATIONS

In this specific case, full details within the Planning Supporting Statement (Pages 35 – 41) and an Agricultural Needs Assessment were submitted which demonstrate the genuine need for this house. This agricultural need case is accepted by Officers in the Handling Report. It is not clear what more the applicant can do or what additional information the applicant can provide to demonstrate that these are important material consideration that warrant a departure being made in this specific case.

The existence of housing in the vicinity of this site recently allowed demonstrates poor design with the local rural landscape. The applicant's proposals by contrast fit within the landscape and would not cause the significant harm being alleged in the reasons for refusal.

SECTION 4: CONCLUSION

The planning submission supplemented by this Statement have comprehensively demonstrated that the proposal to construct a house and garage on this site are supported in principle by national planning policy and guidance.

Similarly, it has been shown that the proposal complies with Policy DP1 (and DP4) in terms of any perceived landscape impacts. There has been no failure on the applicant's part to demonstrate that this proposal causes no harm to the rural landscape. Unfortunately, no part of the applicant's landscape assessment case has been acknowledged or considered in the Officer's Handling Report and the wrong criteria and assessment has been applied in reaching the conclusions in the reasons for refusal.

The only real matter outstanding relates to the reluctance to treat this application as a departure from Policy DP4, despite the agreement that there is an agriculture need demonstrated in the submission. There has been no failure on the applicant's part to provide sufficient information to demonstrate that this is a genuine case of agricultural need relating to the succession planning for Sourbank Farm, that should, in line with national policy, outweigh local planning policies.

Instead, Moray Local Development Plan policies unreasonably and inflexibly contrary to national planning policy fail to provide any exceptions to meet this need unlike the 29 other rural Local Planning Authorities in Scotland.

In a nutshell, this is a house for a succeeding farmer, whose family has worked farms locally for four generations. It is the intention of the applicant to make way for his son as the next generation of Proctors, to work and manage Sourbank farm. Farms are in rural areas and fixed entities that cannot relocate. Farmers and farm workers must live in houses near their farms for operational, practical, animal husbandry, security, and sustainability reasons, as clearly evidenced in the submission. All other housing options have been considered and unfortunately discounted for genuine operational,

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practical, locational, and financial reasons. No other suitable or affordable housing is available locally. A new house therefore needs to be built. This proposed house is now the only available option for the Proctors. There is no Plan B for the future of Sourbank Farm.

There is no demonstrated reason why this application cannot be treated as a departure from Policy DP4. This application should not just be dismissed on a point of strict non-compliance with this policy and all the relevant and significant material considerations must be considered.

Finally, it has been demonstrated through the original submission and the consideration in the Officer's Handling Report, that in all other respects the proposed development is in accordance with those relevant planning policies, subject to conditions to ensure compliance. Furthermore, there are no other material considerations or matters raised by third parties, which would outweigh the merits and benefits of the proposed development.

It is a statutory requirement that all planning applications must be considered on their own planning merits against planning policy and other material considerations.

The proposed residential development of this site is demonstrated to be acceptable when considered against national planning policies, the aims of the MLDP, and taking into account the material planning considerations presented in the submission and within this Statement.

It is therefore requested that the Local Review Body allow this application, considering this robust and detailed justification, which demonstrates that this house development can be delivered to the benefit of the future survival and success of Sourbank Farm, to the benefit of the local rural economy and community, and without any significant or adverse impact upon the surrounding rural landscape.

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APPENDIX 1: NATIONAL POLICY AND GUIDANCE RELATING TO HOUSING IN RURAL AREAS		
POLICY AND GUIDANCE DOCUMENT	**STATEMENT OF POLICY**	**COMMENTS**
NATIONAL PLANNING FRAMEWORK 3: NPF3 NPF3 provides a statutory framework for Scotland's long-term spatial development	The overall planning vision is to have growth that can be achieved that respects the quality of environment, place, and life. It seeks to ensure sustainable growth in Scotland and to create '*sustainable, well-designed places and homes which meet our needs.'* Increased population growth is vital to sustain rural communities. **NPP3 seeks to ensure that development in rural areas is not unnecessarily constrained and sees a continuing need for new housing and a flexible approach in achieving this.**	This development to provide succession housing is necessary to meet a specific housing need. A flexible approach to considering this application is in the spirit of NPF3.
NATIONAL PLANNING FRAMEWORK 4: NPF4 NPF4 will provide the future statutory framework for Scotland.	Reference is made to the '***need for policies to reflect diverse housing and accommodation needs, including those living in rural communities.'*** Reference is made to '***providing greater flexibility for housing development that provides accommodation for rural businesses.'***	Reference is made to consultation responses relating to the specific matter of succession for farms. NPF4 makes it clear that there is a need for policy to cater for the housing needs of all, including those to support the rural economy and businesses.

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	Background Research Findings: 1. **Consultation Analysis** reference is made to the issue of succession housing for rural businesses being raised and the need to explicitly recognise that building a new home in the countryside is justified when it will enable a farmer to retire and transfer a farm to the next generation. ***2. Rural Planning Policy to 2050 (research to inform the Preparation of NPF4)*** reference is made to the recurrent theme of importance of housing for the sustainability and development of rural businesses: **"Housing is key. Our big challenge is workforce. We don't have the workforce that we need …. Housing continues to be a major challenge that can hold back succession planning for a farm and prevents new entrants from taking on farms. By extension, it also sometimes keeps elderly farmers working beyond times in their life when this is optimal."** (Gemma Cooper, Head of Policy Team, National Farmers' Union Scotland) Under Objective 3: Housing and Settlement	

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	*Housing has a fundamental role in relation to the rural economy and in the sustainability of rural communities. The research results indicate that this is widely held to be a transformational form of development because of its centrality to the wider development prospects of an area. Its significance relates to supporting schools and services, providing a local workforce, giving people the opportunity to develop businesses**, enabling succession planning on farms** and other businesses, releasing business expansion, and retaining and attracting economically active people. Affordable and housing and appropriate types of housing are key. The challenges of providing rural housing are multi-faceted (cost, availability of land in the right place, infrastructure, planning, construction sector skills gaps, availability of finance) and require action across a range of sectors.* This leads into*:* **Recommendation 5**: Planning should also recognise and develop housing policies suited to rural areas, where housing is perceived as a transformational form of development in relation to the wider rural economy and societal needs.	
SCOTTISH PLANNING POLICY 2014 (revised December 2020) SPP provides the policy framework to deliver the objectives of NPP3.	One of the core values and policy principles is that the planning system should be plan-led. Another is that planning services should be '*proportionate.*'	Through these stated Outcomes, the SPP is therefore in general support of the proposed application in that it seeks to provide an affordable home to support continued sustainable economic growth and

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	It also introduces the presumption in favour of sustainable development and in doing so confirms a set of principles relating to sustainability factors, including that it should be '*flexible enough to adapt to changing circumstances over time'* and '*support existing business sectors, taking account of whether they are expanding or contracting.'* The goal of SPP is a Scotland with a strong economy, homes, jobs and a "*good living environment for everyone.'* Outcome 1 of the SPP is "A successful, sustainable place" supporting sustainable economic growth and regeneration. Outcome 2 of the SPP is 'A low carbon place' to be achieved by reducing our carbon emissions and adaption to climate change. Another policy principle of SPP is that development should be design-led; achieved through directing the '***right development in the right place.'***	regeneration of this well-established farming business, whilst reducing the need to travel and therefore adapting to climate change. SPP is of direct relevance to this application since the '***right development'*** on this site within the heart of the Sourbank farm holding is residential. It is clear from the stated national policies that although the MLDP20 is newly adopted, it has failed to address a specific housing need in its policies. It fails to take on board the link between the provision of housing with a geographical need and sustainable economic growth, sustainable development, and adaption to climate change. It is therefore technically out of date with national requirements. This is a minor departure from those adopted policies but fully in accordance with national policy.
CIRCULAR 4/1998: The Use of Conditions in Planning Permissions.	Circular 4/1998 is out of date regarding the current directive by the Scottish Government not to impose restrictions on occupancy but it is of relevance that even back in 1998 there	

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Circular 4/1998 provides statements of Scottish policy on use of conditions in planning permissions.	were relevant planning concerns regarding this matter. Paragraph 91 refers to planning control being more concerned with the use of land rather than the identity of the user and therefore question restrictions being placed on the occupancy of a development. Paragraph 95 elaborates on this by stating that there will seldom be any good reason on land use planning grounds to restrict occupancy of houses to a particular type of person (e.g., those already living or working in the area. Paragraph 102 states that where it has been imposed it needs to ensure that it does not prevent future occupation by a retired agricultural worker or their dependents.	
Letter from the Scottish Government Chief Planner - 4 November 2011 – Occupancy Restrictions and Rural Housing	Clarification was given to the use conditions or legal agreements to restrict occupancy on new houses in the countryside. Restates that SPP promotes a positive approach to rural housing and requires development plans to support more opportunities for small-scale housing	

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	development in all rural areas, including housing which is linked to rural businesses. Confirms that: ***The Scottish Government believes that occupancy restrictions are rarely appropriate and so should be avoided'*** and that, '***Where the authority is satisfied that an adequate case has been made, it should not be necessary to use formal mechanisms to restrict occupancy.'***	
CIRCULAR 3/2012: Planning Obligations and Good Neighbour Agreements. Circular 3/2012 provides statements of Scottish policy on planning obligations and good neighbour agreements.	This reinforces the 2011 Letter from the Scottish Government's Chief Planner (see above). Paragraph 49 refers to the historical use of restrictions on the use of housing in rural areas involving the requirement for legal agreements. It is advised that these can '***introduce unnecessary burdens or constraints'*** and that these '***are rarely appropriate and so should generally be avoided***.' It further states that '***where the authority is satisfied that an adequate case has been made, it should not be necessary to use a planning obligation as*** (***formal mechanisms to restrict occupancy or use.'***	

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APPENDIX 2: SCOTTISH LOCAL PLANNING AUTHORITIES (LPAs): LDP POLICIES AND GUIDANCE FOR HOUSING FOR FARM ENTERPRISES AND FARM WORKERS		
RURAL LOCAL AUTHORITY AREAS	**DATES OF CURRENT LDP/ PROPOSED LDP**	**POLICY & SUPPLEMENTARY GUIDANCE (SG)**
Aberdeenshire	2017	R 1 – Supports accommodation within the immediate vicinity of the place of employment. R 2 – Supports single homes permitted for the retirement succession of a viable farm holding.
	2021	R 1.2 – Supports accommodation within the immediate vicinity of the place of employment required for a worker in a primary industry, where the presence of a worker is essential to the efficient operation of the enterprise. R 2.15 – Supports single homes permitted for the retirement succession of a viable farm holding within or in immediate vicinity to the main farm hub.
Angus	2016	SG - Supports development of a single house to meet an essential worker requirement for the management of the land or other rural business, or for a retired famer.
Argyll & Bute	2015	DM1 – Supports development directly supporting agriculture. SG – Supports single houses in open/undeveloped countryside where a specific locational/operational need.
	2021	02 – Support same as 2015.
Cairngorms National Park Authority	2021	1.3 and SG – Supported for housing that is necessary for or improve the operational and economic viability of an active business which has a locational requirement directly linked to the countryside.

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Clackmannanshire	2015	SC23 – Supports accommodation where it is demonstrated there is a requirement for a countryside location. SC24 – Supports accommodation where it is demonstrated that the proposal is integral to, and is necessary for, the full-time management of an existing and well-established countryside business or activity such as farming.
Dumfries and Galloway	2019	H3 – Supports housing essential for the needs of agriculture or other business requiring a rural location. SG – *'Farming continues to be a significant component of the rural economy and it is important that planning policy continues to support the operational needs of farming enterprises'* Section 4 – Supports housing for the succession planning of a viable farm holding.
East Ayrshire	2017	RES 6 – Supportive of new build houses for agricultural workers
East Dunbartonshire	2017	6 - Single Houses within Green Belt only permitted for a full-time worker in an agricultural or other appropriate countryside enterprise who is required to be present on site.
	2021	12 – Single houses in Green Belt only permitted for a full-time worker in an agriculture or other farming related work.
East Lothian	2018	DC4 & SG – Supports new build housing in the countryside in the case of a single house that is a direct operational requirement of a viable agricultural business.
East Renfrewshire	2015	D3 – Consider sympathetically development related to agriculture. SG – New dwelling house only permitted in Green Belt and countryside where specific properly evidenced need to be in that location in the countryside, account taken of conversion or other site, required for person working full-time in agriculture or other appropriate rural use, for a viable business.
	2021	D3.3 - New build housing in the countryside supported where for workers engaged in an existing rural business, where demonstrated that there is a direct operational requirement.

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Eilean Siar	2018	DS1 – Allows housing if of high quality. PD3 – Housing not allowed unless it is demonstrated that there is a need for housing in the specific area.
Falkirk	2020	HC05 – Supports housing required for the pursuance of agriculture for which a countryside location is essential. SG01 – As above
Fife	2017	8 – Supports accommodation where it is essential to support an existing rural business
Highland	2012 – Highland Wide	35 & 36 & SG – Exceptions for housing in countryside outlined as where it is essential for land management or family purposes related to management of the land. Is a dwelling for a retiring farmer and their spouses.
Inverclyde	2019	14- Development only permitted where it is associated with agriculture and justified.
Midlothian	2017	RD1 – Permitted if required for the furtherance of agriculture, need is shown that cannot be met within an existing settlement and that the occupier will be employed full-time in the associated countryside activity. SG – As above and states that the most common reason for such houses are on site presence for security and animal husbandry.
Loch Lomond and Trossachs National Park	2017	2 and SG –New housing is supported where it is demonstrated as necessary to support the sustainable management of an established rural business or newly formed croft. Affordable housing may be supported in some instances where this forms part of a long term far or estate-wide business management plan.
MORAY	2020	DP4 – No policy or exceptions allowed.

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North Ayrshire	2019	Countryside Objective Policy – Supports proposals outwith towns and villages for ancillary development for existing rural businesses and uses, including housing for workers engaged in agriculture.
North Lanarkshire	2012	NBE3 – Allows housing for farm units if need demonstrated.
	2018	PP4 & PP5– Accommodation supported if demonstrated to support a Green Belt appropriate use.
Orkney Islands	2017	Vision – Support for delivering new houses for farmers, crofters, and agricultural workers where they are needed. 5E – Supports single houses where involves provision for a rural business where 24-hour supervision is an operational requirement or to allow for the retirement succession of a viable farm holding. SG – Support and requirements for submission of application.
Perth and Kinross	2019	19 – Support for single houses with proven economic need. 43 – Permitted where is essential for agriculture operations. SG – New houses in the open countryside with reference to genuine need being considered favourably e.g., economic activity, including agricultural workers.
Renfrewshire	2014	No policy or exceptions allowed.
	2021	ENV1 – New housing in Green Belt where there is a need to support an established green belt activity, including in support of agriculture uses.
Scottish Borders	2016	HD2 – Housing with a location essential for business may be acceptable, including with a direct operational requirement of an agricultural enterprise appropriate to the countryside and for a worker predominantly employed and presence is essential for the efficient operation, or for succession.
	2020	HD2 – Support same as 2016.

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Shetland Islands	2014	No policy or exceptions allowed.
South Ayrshire	2014	Rural Housing – Supports housing to meet rural business requirements. SG – May give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business.
	2020	B8 – Supports new housing in the countryside that accords with Rural Housing policy and SG. SG Rural Housing – Supports a new home that is essential to a rural business that is economically viable.
South Lanarkshire	2021	4 – Within countryside, there needs to be a specific locational requirement and established need. GBRA10 & SG – Support with circumstances where a house in the rural area is required for a person employed in a rural business where the nature and demands of the work associated with the business necessitate someone close by. Traditionally this has related to housing for agricultural workers.
Stirling	2018	2.10 – Support for new houses outwith existing groups or infill situations for a single house at a specific type of site for a specific purpose are supported. Support given to single houses in the Green Belt, where associated with agriculture. SG – Support if demonstrated that there is a genuine need to be housed in the vicinity for agriculture in an established rural business where there is a clear operational need.
West Dunbartonshire	2010 & 2015	WC1 – Support for development in wider countryside if required for the purposes of agriculture. DS2 – Development outwith the urban area will be restricted to development associated with agriculture, including new houses justified as required to support that use.
	2020	GB1 – Support for development in Green Belt and countryside restricted to development associated with agriculture, including residential developments.

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West Lothian	2018	ENV2 – Supported if by lowland crofting policy. ENV7 – Supported if demonstrated there is a specific locational need which cannot be met elsewhere and need for incursion into the Countryside Belt can be demonstrated.

KEY

Green – LPAs with policies and guidance (SG) supporting housing related to farm enterprises and farm workers.
Red – LPAs with no policies or guidance (SG) supporting housing related to farm enterprises and farm workers.

EXPLANATORY NOTES:

Table includes 29 out of the 32 Local Planning Authorities and both National Park Authorities. The remaining 2 Local Planning Authorities (Edinburgh, Glasgow, and Aberdeen City) are all predominantly urban and where Green Belt areas exist, policies allow development associated with appropriate Green Belt uses, e.g., agriculture.

Where there are 2/3 dates for LDP; the first date is that of the adopted LDP and the second date is that of the Proposed Plan (either awaiting submission to DPEA or awaiting examination)

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Job No. P/App GRP/09/19

Planning Department
The Moray Council
High Street
ELGIN, IV30 1BX

29th November 2020

Dear Sir/Madam

RE. Erect 1.25 Storey Dwelling House at Sourbank, Rafford, Forres, Moray, IV36 2SL

This is a resubmission of Planning Application 19/01599/APP. The original application was withdrawn on 24/03/20 to allow time to address the Local Plan requirements it did not meet and the visibility issues with the vehicle access from the U102E Public Road and the U102E junction with the B9010.

In accordance with The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004, as this application (which is of "the same character or description of development on the same site"), is being submitted within 12 months of its original submission date of 10 December 2019, there is no fee requirement.

Following the withdrawal, a Planning Consultant was engaged to address the issues identified and any subsequent issues that may arise. The consultations with the Moray Council and other statuary bodies are now complete and we are in a position to resubmit the Planning Application.

The following drawings and supporting documents have been submitted as part of the e-Planning application on behalf of the applicants, G & AG Proctor

GRP/09/19/001A - Location Plan (A4 size)
GRP/09/19/002C - Site Plan (A1)
GRP/09/19/003A – Floor Plans (A1)
GRP/09/19/004A – Elevations (A1)
GRP/09/19/005A – Garage Plans (A1)
GRP/09/19/006A – House Section (A2)
GRP/09/19/007 – B9010/U102E Junction (A3)
Visual Impact Photos (A4)
Client's Design Statement dated 8th December 2019.
Agricultural Needs Assessment by Bowlts (TO BE KEPT PRIVATE)
Planning Supporting Statement Jane Shepherd (TheTownPlanner)
Site investigation and drainage survey by GMC Surveys
Culvert Proposal by GMC Surveys

We trust that this is all in order but if you have any queries please do not hesitate to contact this office.

Yours faithfully

[redacted]

Mr. PM Mitchell

PM Designs
Todholes, Dallas
FORRES, IV362RW
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www.pmdesigns.eu

29th November 2019

Job No. P/App GRP/09/19

Re: Proposed Erection of 1.25 Storey Dwelling House at Sourbank, Rafford, Forres, Moray, IV36 2SL

Design Statement on Behalf of The Planning Application Applicants

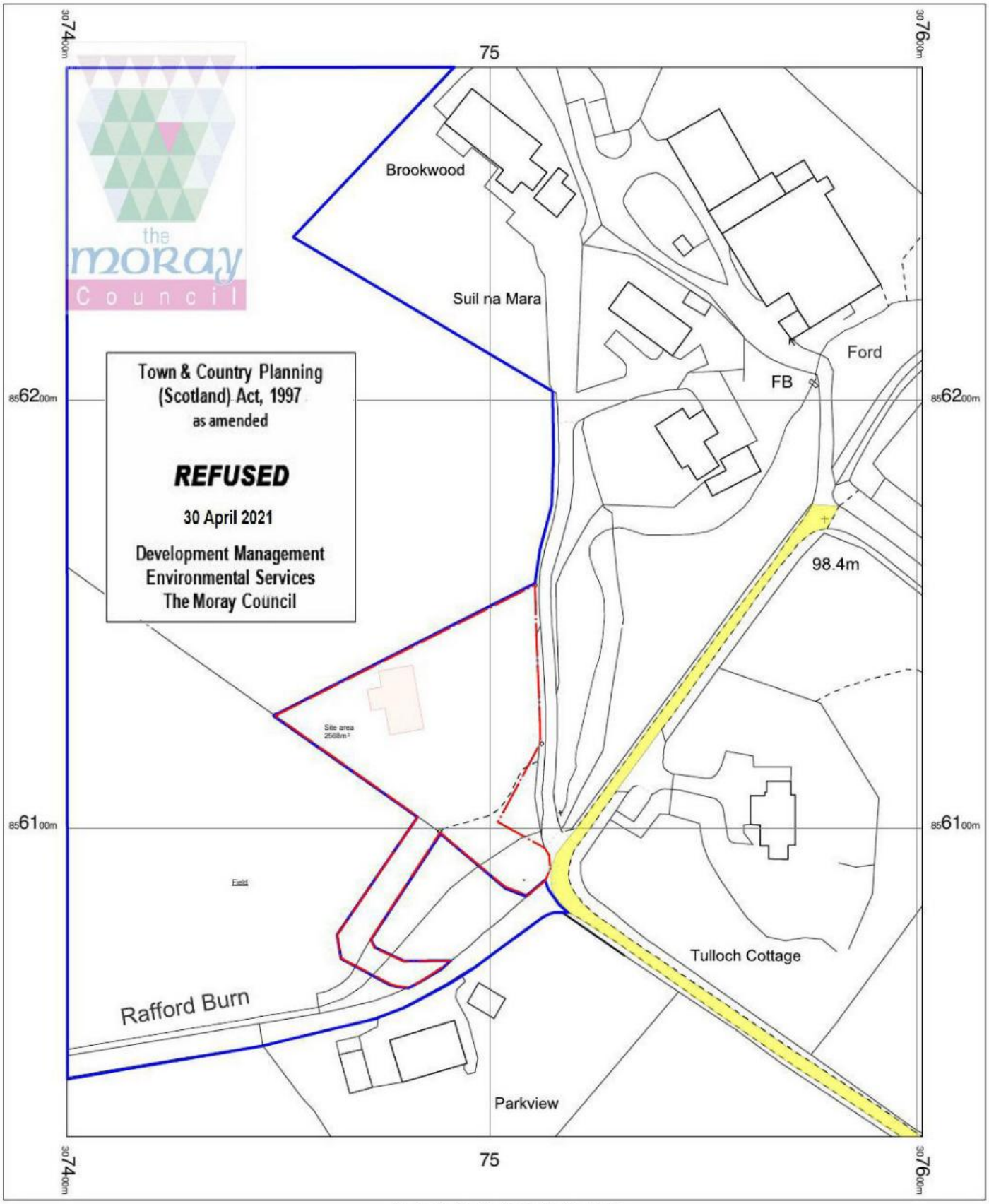
We wish to build an environmentally friendly energy efficient home, whilst keeping it in character with local properties as far as possible, yet still reflecting the era in which it is being built. The house will enable the next generation of the Proctor family to live adjacent to the farmland the family works. The development is sited in the corner of a field owned by our family and is adjacent a cluster of both old and new houses at Sourbank, Rafford.

To achieve a sympathetic appearance and energy efficiency we have incorporated the following design features into the proposed building.

1. Timber frame construction with mainly rendered external walls, with some locally sourced larch cladding to compliment the nearby woodland setting and the proposed tree planting. The colours are indicative only but the final shades are unlikely to differ markedly from those shown.
2. The house is 1¼ storey high with a roof pitch of 40.5 degrees and will be covered with reclaimed welsh slate.
3. A high standard of insulation, along with high specification glazing and an air sourced heating system will make this an energy efficient home for the 21st century. A wood burning stove will supplement the heating system in the winter months and provide a focal point within the property.
4. A woodland area will be created in the northern corner to provide 25% tree cover and will help to screen the proposed house from neighbouring properties, as well as providing wildlife habitat.

[redacted]

Peter M Mitchell, **PM Designs** (Agent)
On behalf of the applicants
G & AG Proctor
Balnageith Farm,
Balnagieth,
Forres,
Moray,
IV36 2SX



Notes

1. Land subject to this application is indicated thus:-
2. Adjacent land owned by the applicant is indicated thus:-

Drawing Title	Date
Location Plan	28/11/20
Drawing No. GRP 09/19/001A	Client G & AG Proctor
Location Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL	
Project Title Erect 1.25 Storey Detached House	Scale (A4 print) 1:1250

OS MasterMap 1250/2500/10000 scale
Wednesday, November 27, 2019, ID: BLJT-00844098
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 307501 E, 856153 N

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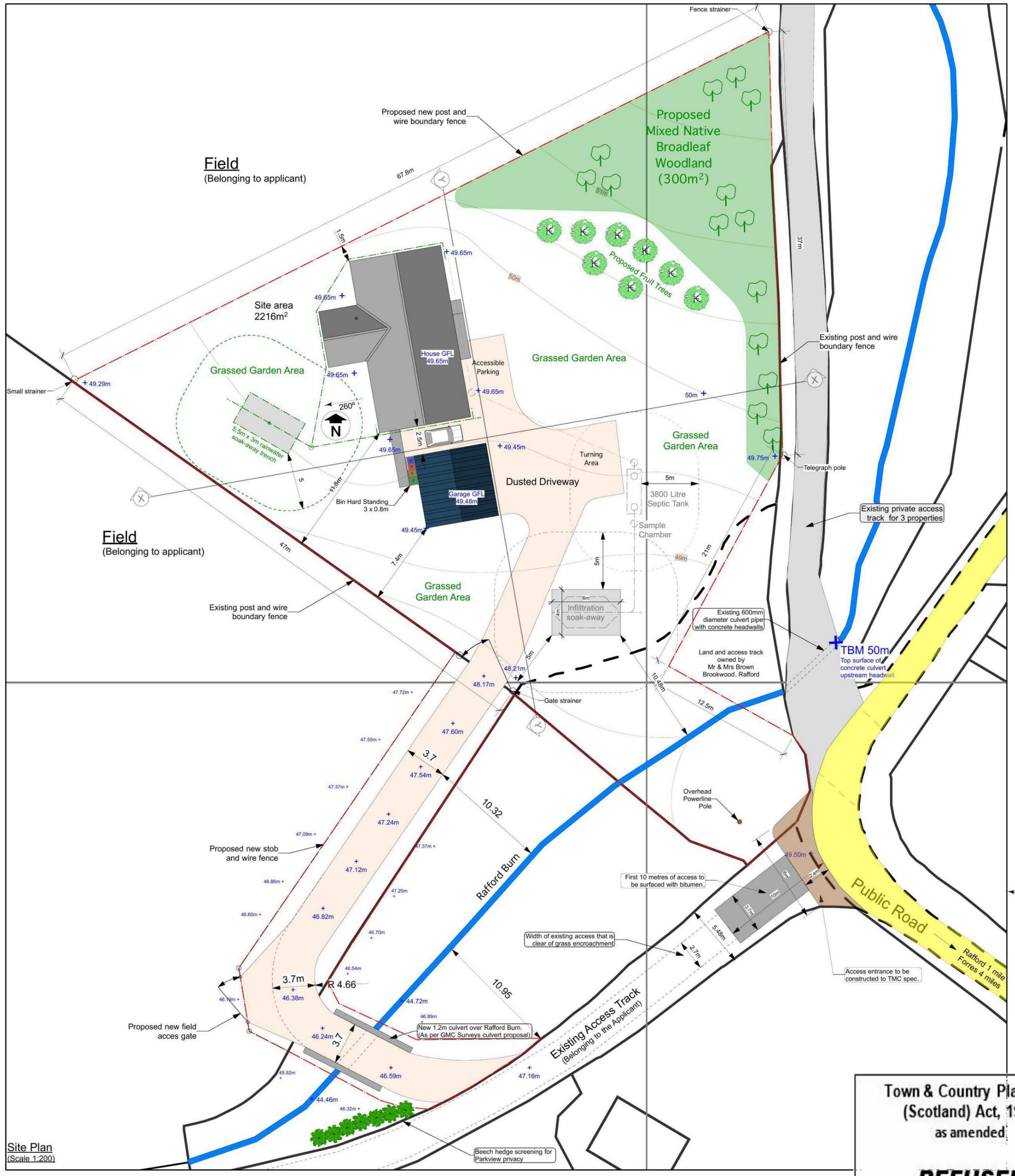
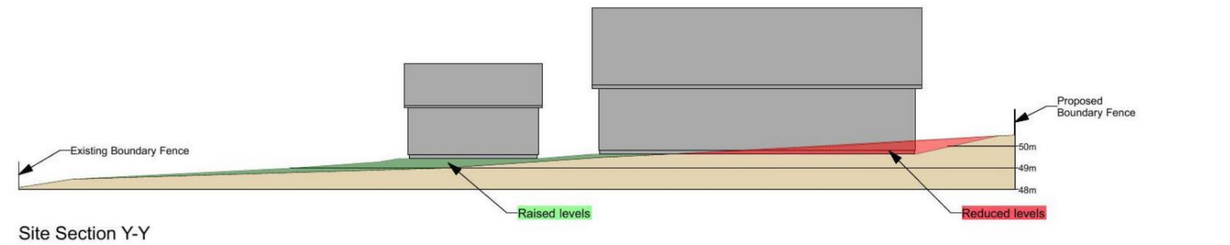
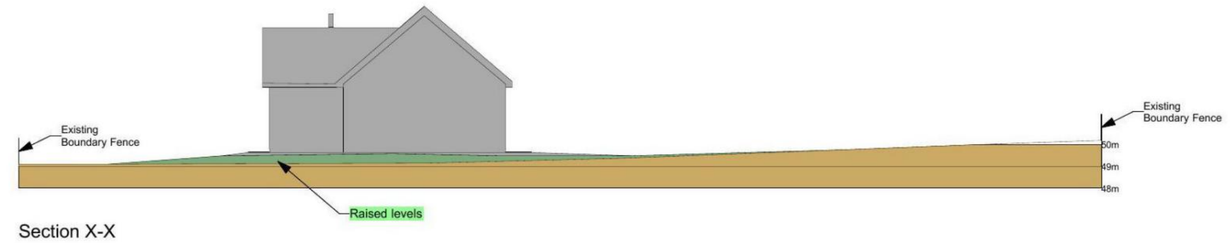
N

bluejet mapping





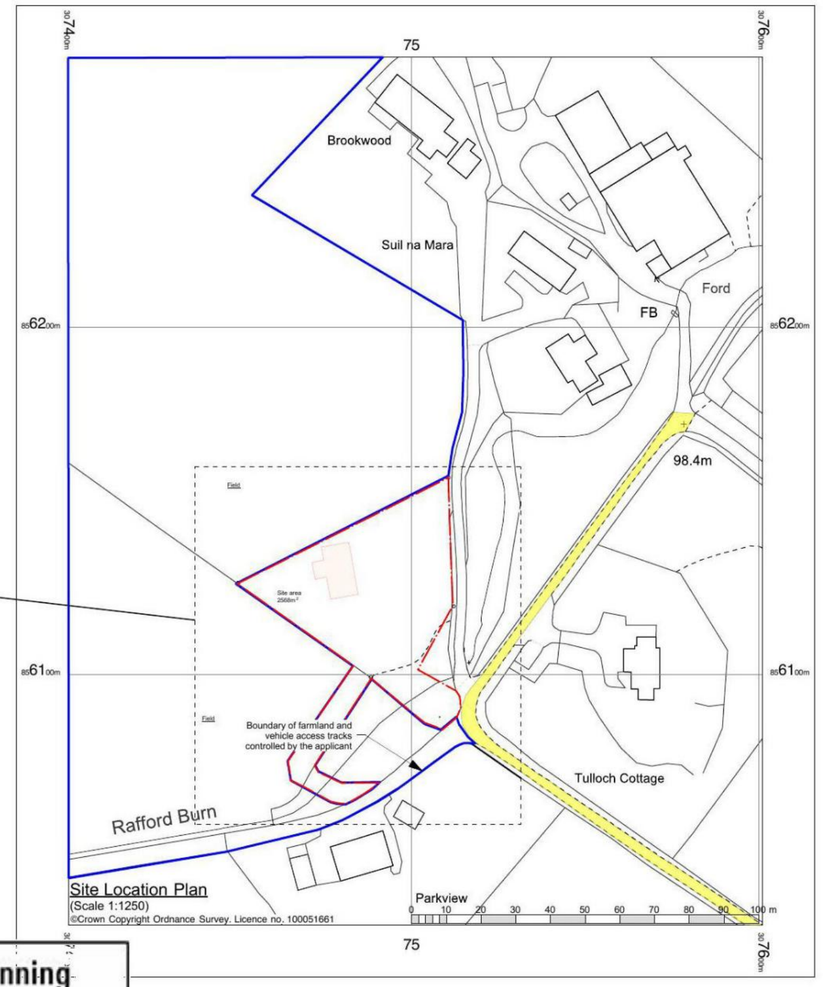
Site Section Y-Y



Section X-X

Site Sections
(Scale 1:200)

0 10 20 30 40 50 m



Site Location Plan
(Scale 1:1250)
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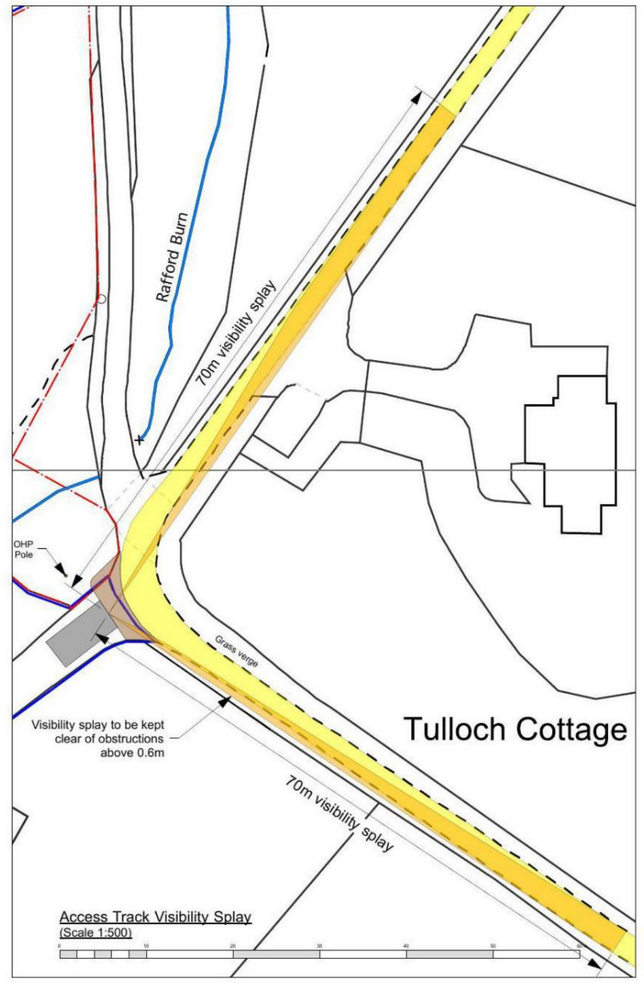

Access Track Visibility Splay
(Scale 1:500)

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Tree Planting Proposal

This site was formerly part of a field and there are no existing trees on it.
The proposed building site is to have a minimum 25% tree cover, with new plantings made up of native species as follows:
Silver Birch to form part of a 300m² broadleaf woodland area as shown 1.2 to 1.5m high, at 3m spacing, quantity 50.
Oak to form part of a 300m² broadleaf woodland area as shown, 0.3 to 0.5m high, at 3.5m spacing, quantity 35.
Apple, Pear, Cherry and Plum trees, are also to be planted to make up additional tree cover, 1.2 to 1.5m high, at 3m spacing, quantity, 2 per species

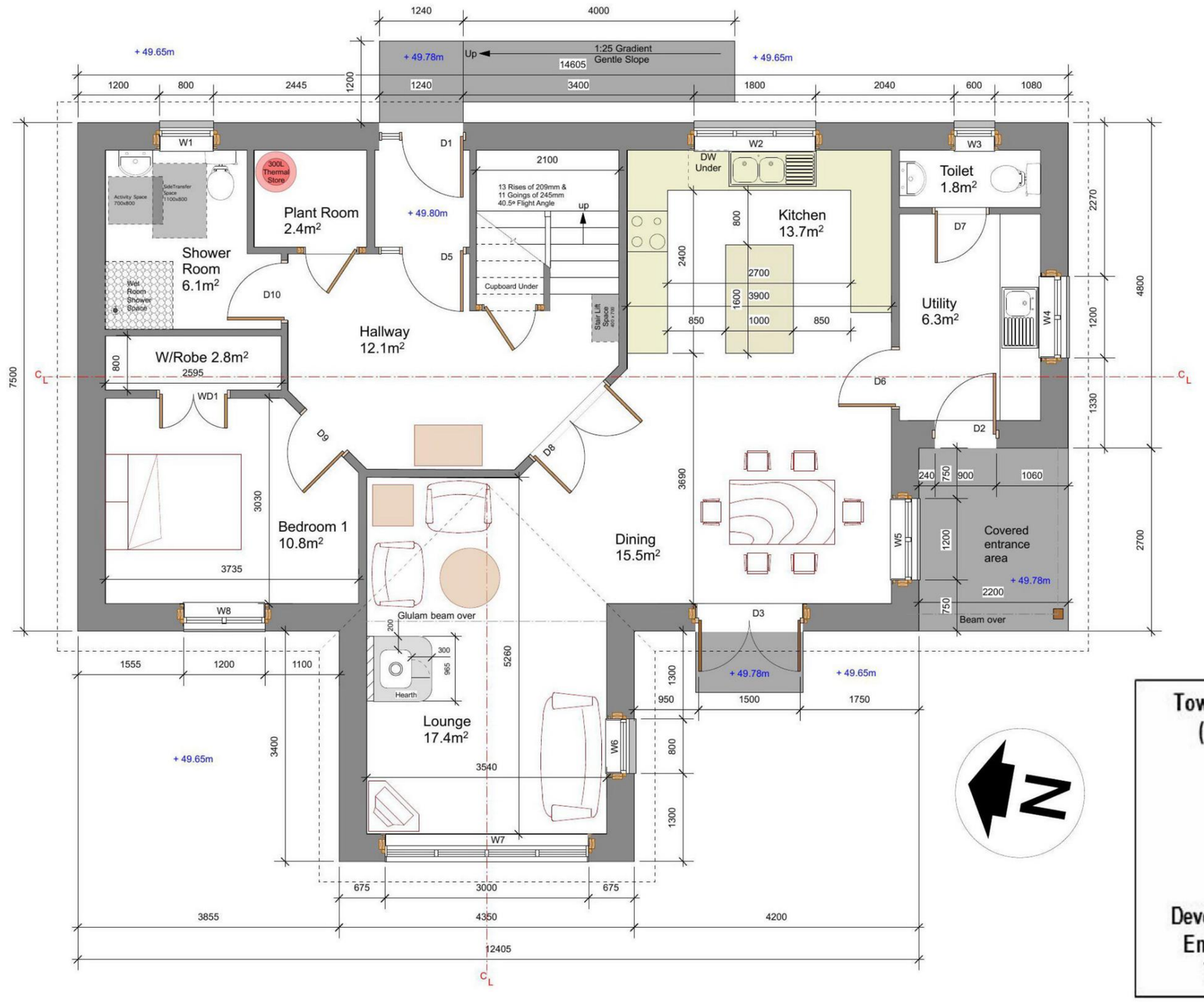
Where top soil depths are shallow the ground is to be top dressed to provide a minimum depth of 300mm.
To prevent damage, all new plantings are to be supported by stakes with pest guards or shelters provided as appropriate.

Site Levels

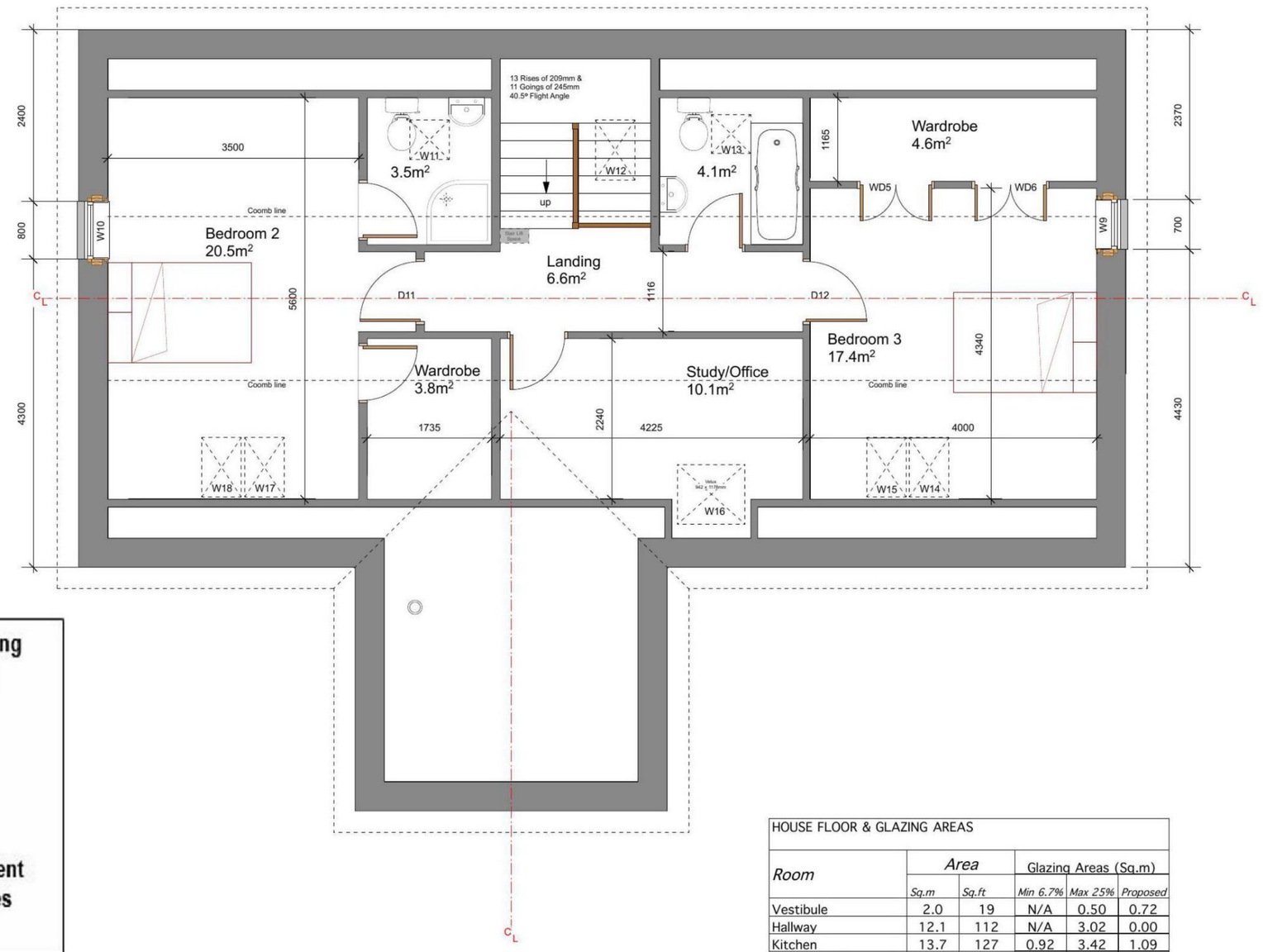
All indicated site levels relate to the Temporary Bench Mark (TBM) datum point located on the top surface of the Rafford Burn concrete culvert upstream headwall adjacent to the access track public road entrance, as shown.

Revisions:
A. Landscape detail added to site plan and drainage layout revised following ground survey.
B. Revisions superceded.
C. New access route and visibility splay

Drawing Title: Site & Landscape Plan			Client: G & AG Proctor
Job No.: GRP 09/19	Drawing No.: GRP 09/19/002		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Metres	Paper Size: A1	Revision: C	Job ~~Architect~~ Designer: Peter M Mitchell
Scale: 1:200	Date: 28/11/20	Drawn: Pete M	Checked:	Job Title: Erect 1.25 Storey Dwelling House



Ground Floor Plan



First Floor Plan

Town & Country Planning
(Scotland) Act, 1997
as amended

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HOUSE FLOOR & GLAZING AREAS					
Room	*Area*		Glazing Areas (Sq.m)		
	Sq.m	*Sq.ft*	*Min 6.7%*	*Max 25%*	*Proposed*
Vestibule	2.0	19	N/A	0.50	0.72
Hallway	12.1	112	N/A	3.02	0.00
Kitchen	13.7	127	0.92	3.42	1.09
Dining Room	13.7	128	0.92	3.43	2.71
Utility Room	6.3	59	N/A	1.58	0.73
Utility Toilet	1.8	16	N/A	0.44	0.35
GF Shower Room	6.1	57	N/A	1.52	0.50
Plant Room	2.4	22	N/A	N/A	0.00
Lounge	19.1	178	1.28	4.78	6.36
Stairwell	5.0	46	N/A	1.24	0.18
FF Bathroom	4.1	38	N/A	1.03	0.22
FF En-suite	3.6	33	N/A	0.89	0.22
Bedroom 1	10.7	100	0.72	2.68	0.91
Bedroom 2	20.5	190	1.37	5.12	1.37
Bedroom 3	17.4	161	1.16	4.34	1.17
FF Landing	6.6	61	N/A	1.64	0.18
FF Study	10.1	93	0.67	2.52	0.75
Bed 1 Wardrobe	2.1	19	N/A	N/A	0.00
Bed 2 Wardrobe	3.9	36	N/A	N/A	0.00
Bed 3 Wardrobe	4.7	43	N/A	N/A	0.00
TOTALS	157.1	1460	7.0	38.2	17.5

0 1 2 3 4 5 6 7 8 9 10 M

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Related Drawings and Documents
GRP/09/19/001 Location Plan
GRP/09/19/002 Site Plan
GRP/09/19/004 Elevations
GRP/09/19/005 Garage Plans
GRP/09/19/006 House Section

Revisions
A. Change roof pitch to 40.5° (25/08/20).

Drawing Title: Floor Plans			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/003		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A1	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 25/08/20	Drawn: Pete M / Checked:	Job Title: Erect 1.25 Storey Dwelling House

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(Scotland) Act, 1997
as amended

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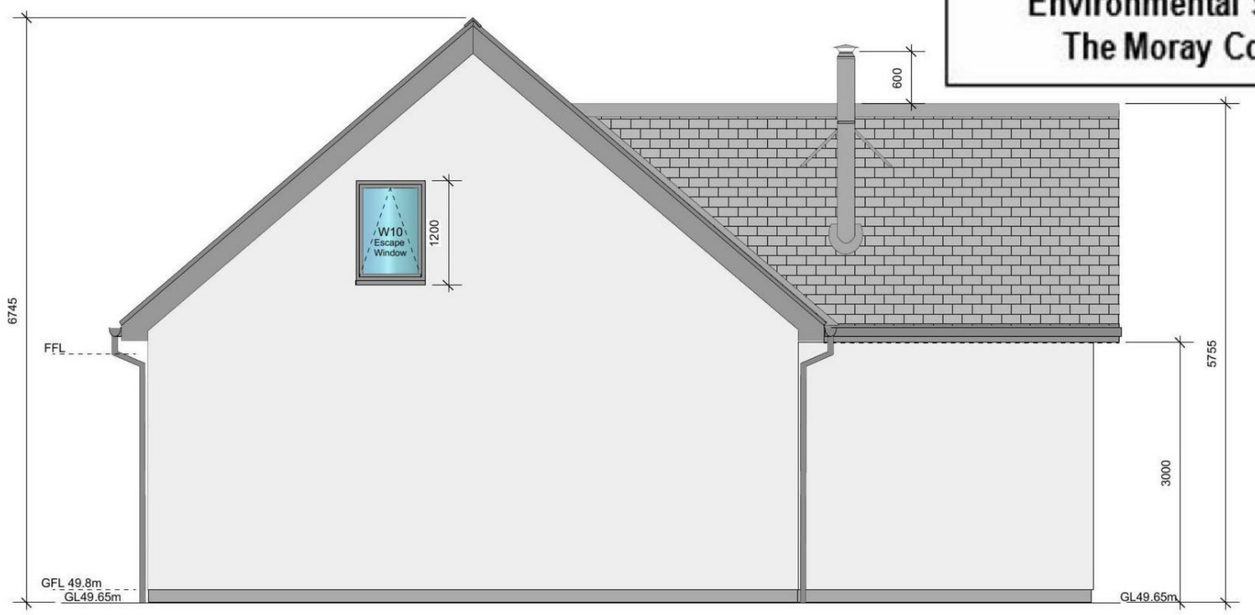
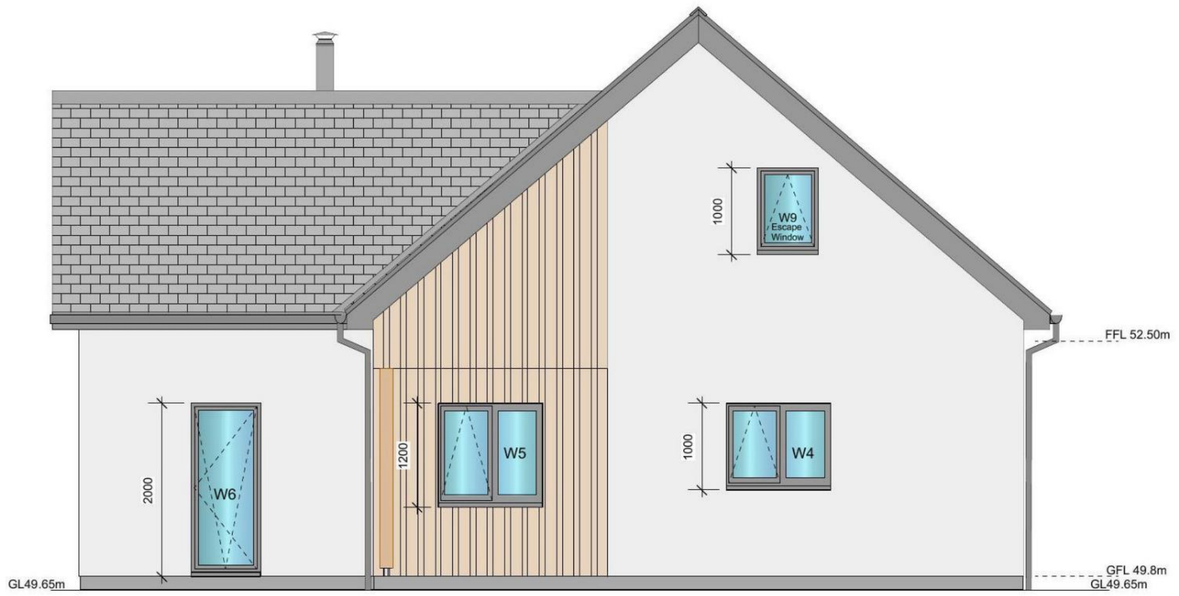
The Moray Council



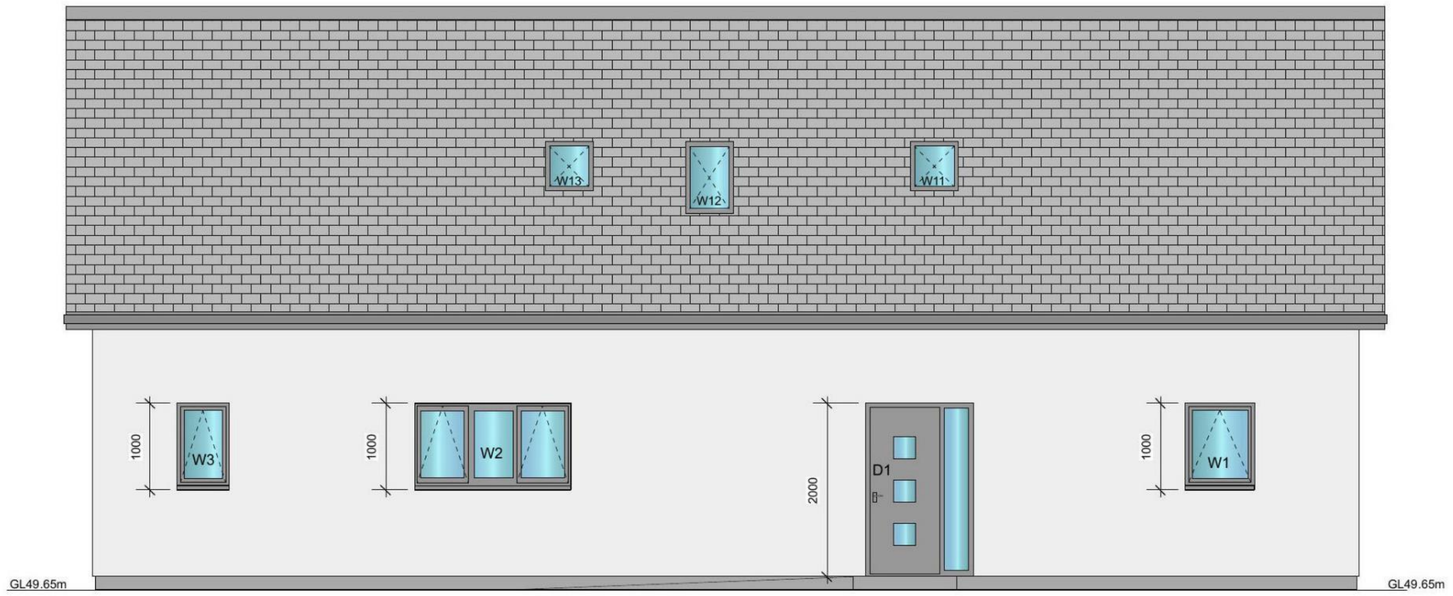
North Elevation

West Elevation

Elevations



South Elevation



East Elevation

0 1 2 3 4 5 6 7 8 9 10 M

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COLOUR SCHEME

WALLS:
White K-render and T&G larch timber cladding as shown.

ROOF:
Reclaimed welsh slates with grey ridge tiles as shown for the house.

RAINWATER COLLECTION:
Pipes and guttering to be grey as shown.

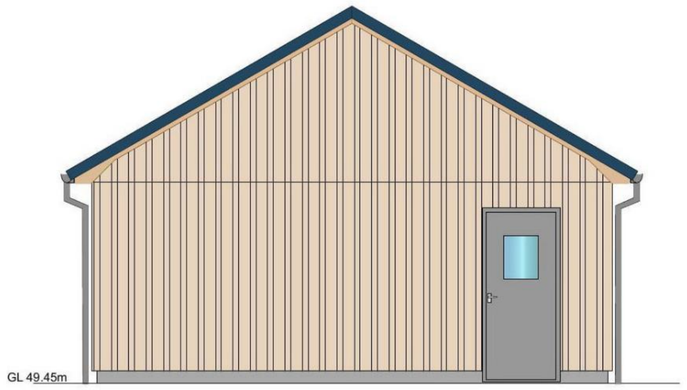
WINDOWS & DOORS:
Grey uPVC doors and windows as shown

FASCIA & BARGE BOARDS:
Grey uPVC as shown.

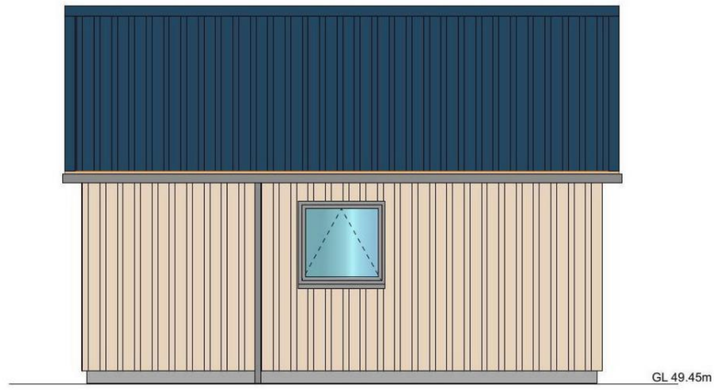
Related Drawings and Documents
GRP/09/19/001 Location Plan
GRP/09/19/002 Site Plan
GRP/09/19/003 Floor Plans
GRP/09/19/005 Garage Plans
GRP/09/19/006 House Section

Revisions
A. Change roof pitch to 40.5° (25/08/20).

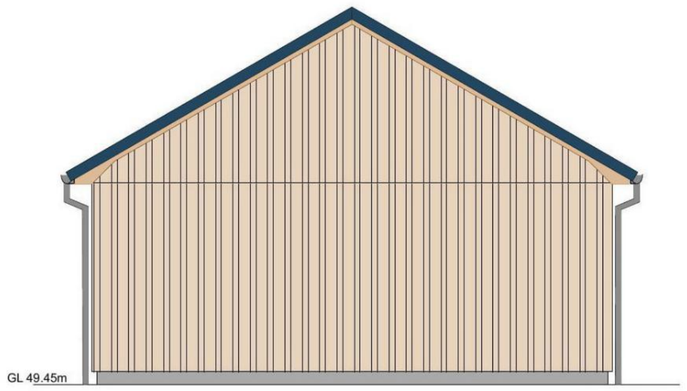
Drawing Title: Elevations			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/004		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A1	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 29/11/20	Drawn: Pete M	Checked:	Job Title: Erect 1.25 Storey Dwelling House



West Elevation

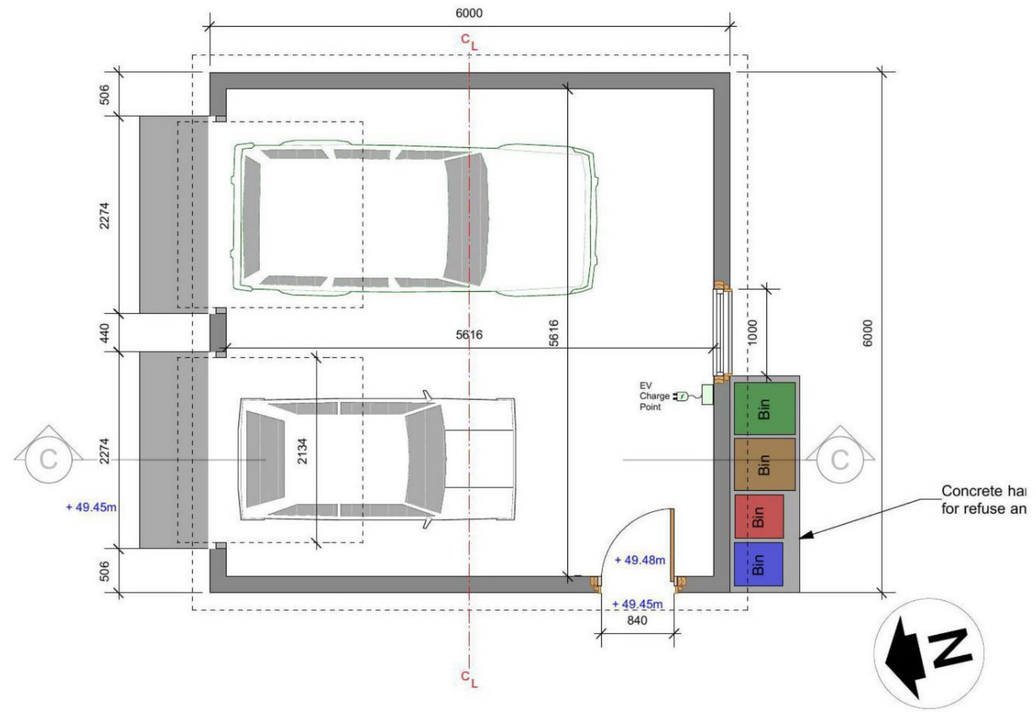


South Elevation

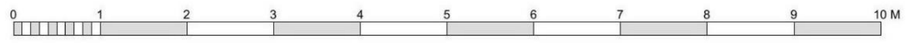


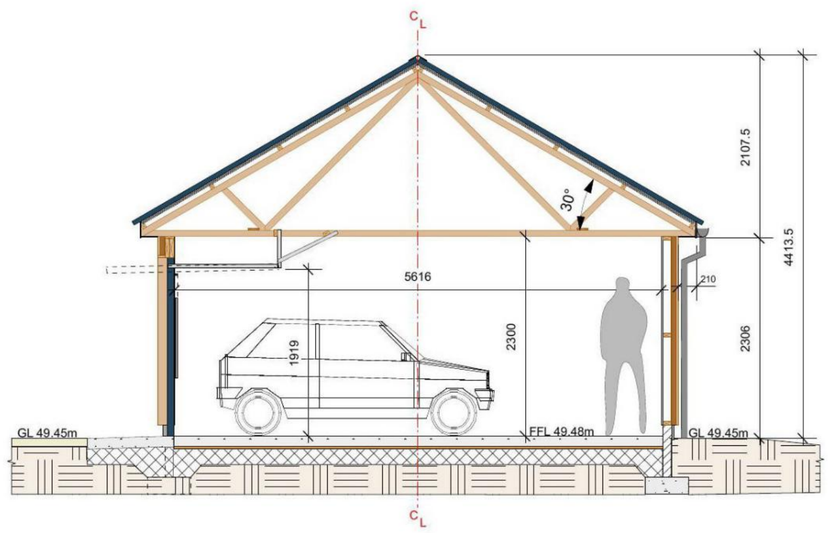
East Elevation

North Elevation



Garage Floor Plan





Cross Section C-C

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as amended

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COLOUR SCHEME

WALLS:
T & G larch timber cladding as shown.

ROOF:
Slate blue planwell profile sheets.

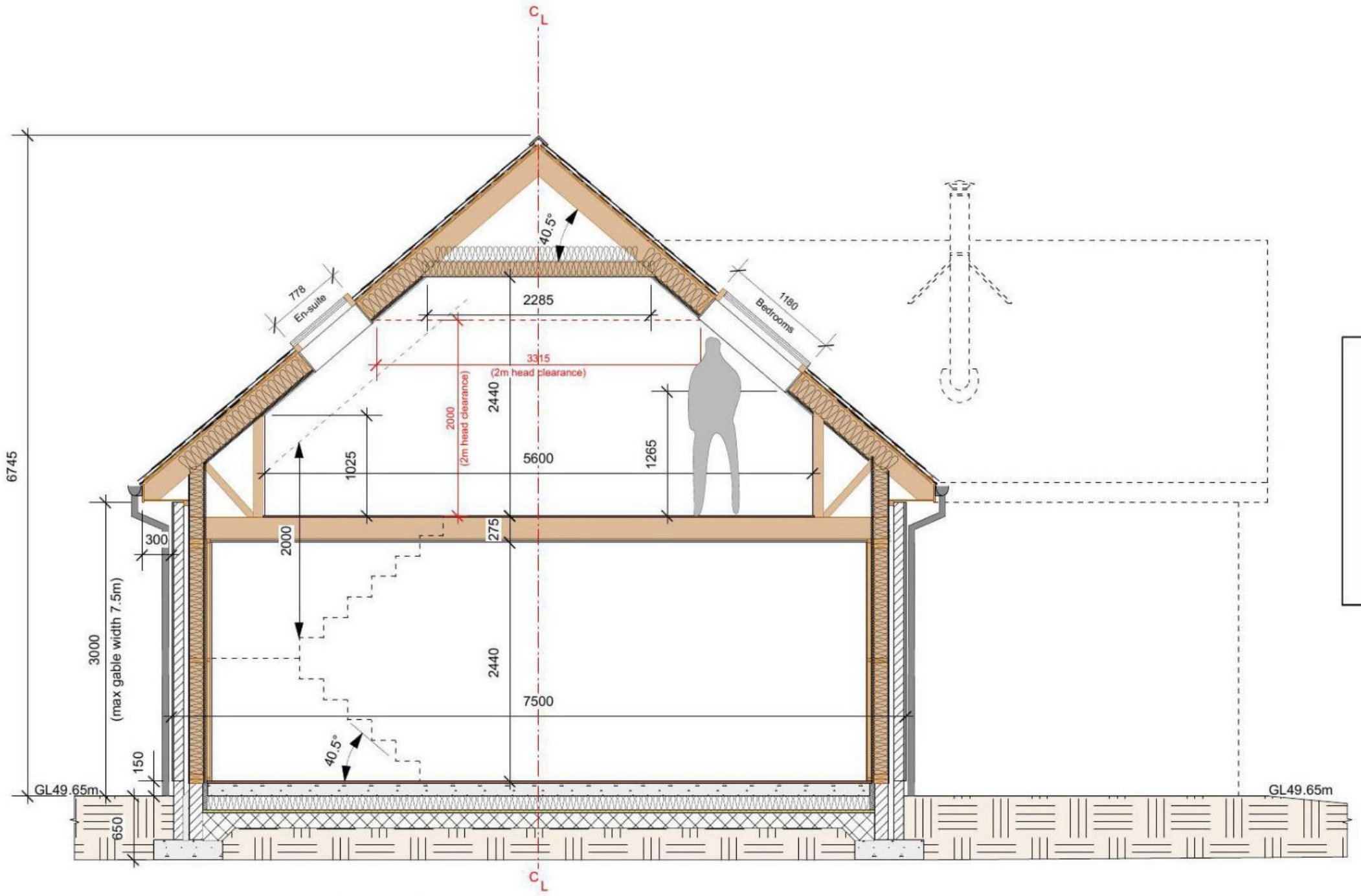
RAINWATER COLLECTION:
Pipes and guttering to be grey as shown.

WINDOWS & DOORS:
Grey uPVC doors and windows as shown

FASCIA & BARGE BOARDS:
Natural timber as shown.

Revisions
A. Planning Application revisions 22/11/20

Drawing Title: Timber Garage Plans			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/005		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A1	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 28/11/20	Drawn: Pete M / Checked:	Job Title: Erect 1.25 Storey Dwelling House



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Typical Cross Section Detail
Scale 1:50

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Revisions
A. Change roof pitch to 40.5° (25/08/20).

Drawing Title: House Section			Client: G & AG Proctor
Job No.: GRP/09/19	Drawing No.: GRP/09/19/006		Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL
All Dimensions In Millimetres	Paper Size: A3	Revision: A	Job ~~Architect~~/Designer: Peter M Mitchell
Scale: 1:50	Date: 25/08/20	Drawn: Pete M	Checked:
			Job Title: Erect 1.25 Storey Dwelling House

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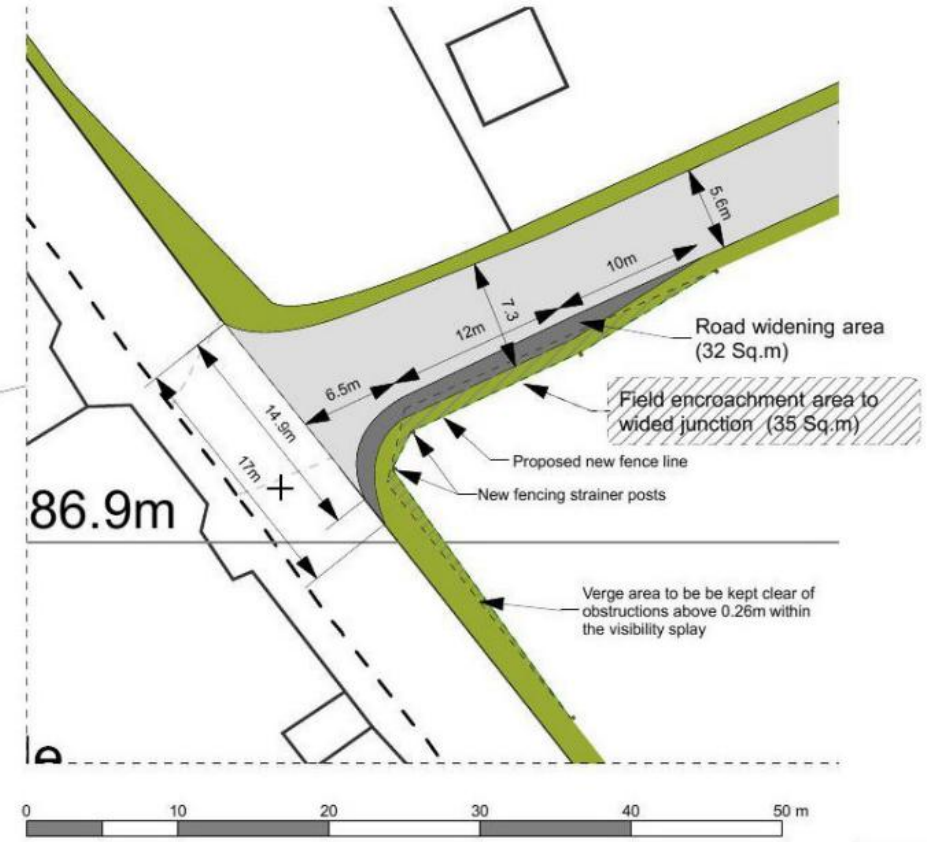
Proposed Junction Improvements at B9010/U102E Junction



Proposed Widening Detail of B9010/U102E Road Junction
Scale 1:200

Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

30 April 2021

Development Management
Environmental Services
The Moray Council

Notes

Client: G & AG Proctor

Location: Sourbank Farm Site, Rafford, Forres, Moray, IV36 2SL

Job ~~Architect~~/Designer: Peter M Mitchell

Job Title: Erect 1.25 Storey Dwelling House

Drawing Title: B9010/U102E Junction

Job No.	Drawing No.
GRP/09/19	GRP/09/19/007

All Dimensions In Metres	Paper Size	Revision:
	A3	

Scale	Date	Drawn	Checked
As Shown	22/11/20	Pete M	

0 5 10 15 20 25 30 35 40 45 50 m

N

OS MasterMap 1250/2500/10000 scale
Wednesday, June 10, 2020, ID: BLJT-00880942
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 306946 E, 855408 N

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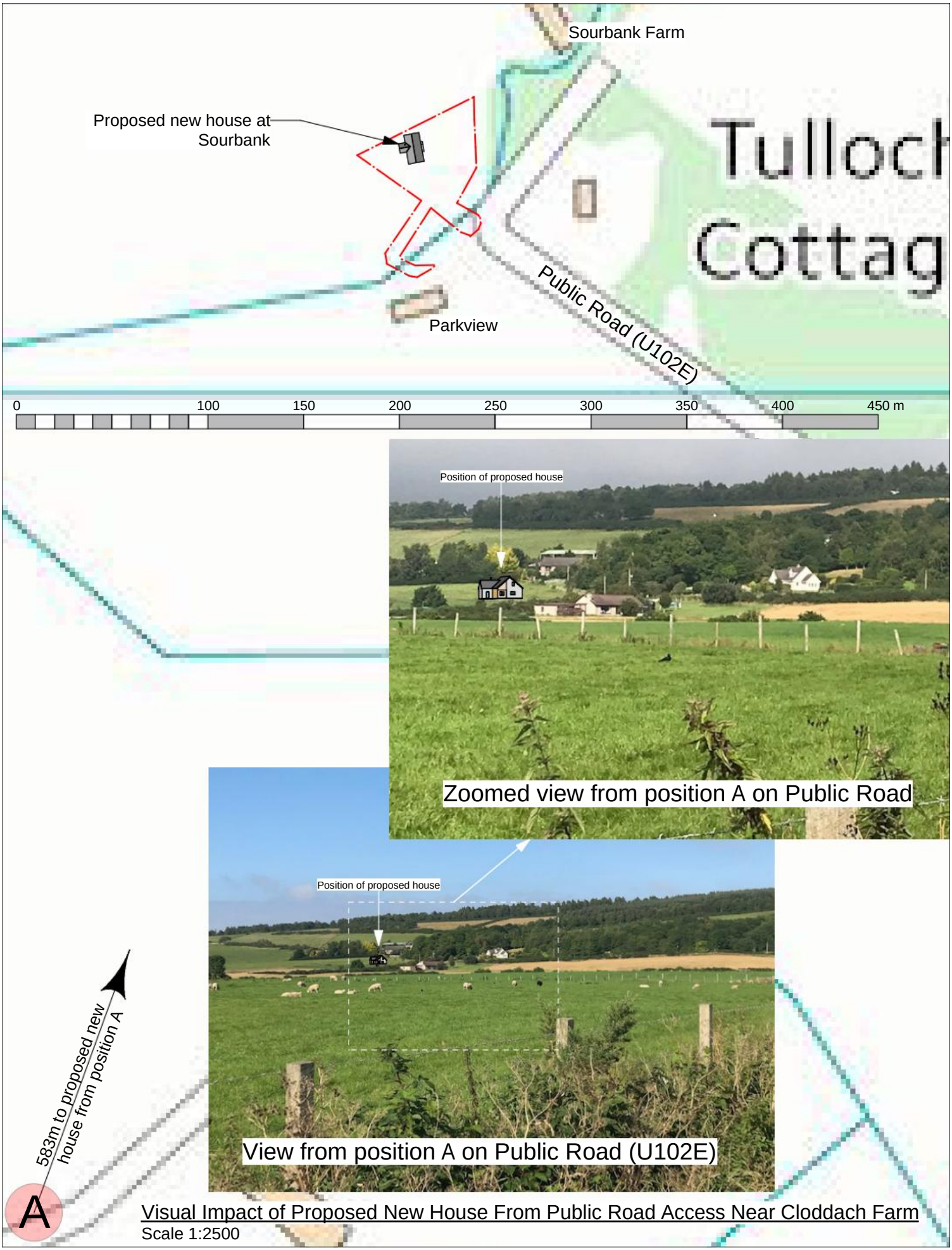
OS Data

bluejet mapping



Visual Impact of Proposed New House From Public Road Access Near Cloddach Farm

Scale 1:2500

Gary Mackintosh
Email: gmcsurveys@gmail.com
Tel: 07557 431 702

gmcsurveys

Surveys, Setting-Out Civil Engineering Design

Site Investigation & Drainage Assessment

SOURBANK, RAFFORD

Gary Mackintosh BSc
gmcsurveys@gmail.com

Client:

Mr R Proctor

Site Address:

Sourbank
Rafford

Planning Reference:

N/A

Date:

18th December 2019

Job Number:

0956C

Company Information:

Assessment completed by:

Gary Mackintosh
GMCSurveys
34 Castle Street
Forres
Moray
IV36 1PW
Email: gmcsurveys@gmail.com
Telephone: 07557 431 702

Introduction:

The proposed site is located on farmland at Sourbank, Rafford. The site is currently bounded by agricultural land to the north and west boundaries and the access road to the remainng boundaries. The proposals are to erect a 3 bed domestic dwelling and supporting infrastructure.

The SEPA Flood Maps have been consulted which indicate that the site lies outwith any areas of fluvial or pluvaial flooding up to a 1:200year event.

GMC Surveys have been asked to carry out a site investigation in order to assess the suitability of the site and provide a drainage solution.

Soil Conditions:

Excavations were carried out using a mechanical digger on 14th December 2019 to assess the existing ground conditions and carry out infiltration and percolation testing for the dispersal of foul and surface waters.

The trial pits were excavated to depths of 1.5m and no ground water was encountered at this depth.

The excavations provided existing ground conditions 250 – 350mm TOPSOIL overlying light red/brown medium to dense sand to a depth of the excavations.

Percolation/Soakaway Testing:

Percolation testing was carried out in full accordance with BS6297: 2007 + A1: 2008 and as described in Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic). The results can be found in the table below.

	1st	2nd	3rd	Mean
Date of Test	**14/12/2019**	**14/12/2019**	**14/12/2019**	
TP01	2400s	2520s	2580s	2500s
TP02	2520s	2580s	2760s	2620s
Average Soil Vp				**17.07s/mm**

Infiltration testing:

Infiltration testing was carried out in full accordance with BRE digest 365. The results can be found in the table below.

Infiltration Test	**Pit Dimensions (w/l)**	**Test Zone (mbgl)**	**Infiltration Rate (m/s)**
INF01	0.8mx 1.0m	0.5 – 1.5	1.9×10^{-5}

Conclusion and Recommendations:

The natural ground is suitable for Traditional strip foundations designed in accordance with BS8110 – Structural use of Concrete.

Based on the onsite investigations it can be confirmed that the underlying soils are suitable for the use of standard stonefilled soakaways as a drainage solution for foul waters.

Foul Water Discharge via Soakaway:

Soil Percolation Value – 17.07s/mm
No of Persons (3bed) – 5PE
Min Base Area (A=Vp x PE x 0.25) = **21.34m2**
This area can be provided with soakaway plan dimensions 6.0m x 4.0m at a depth of 0.45m below invert level, alternative dimensions may be used ensuring that the minimum base area of **21.34m²** is maintained.

The minimum required volume for the treatment plant can be estimated as:

PE x 180 +2000

= 5 x 180 + 2000 = 2900Litres (from Flows and Loads Volume 4)

Surface Water Dispersal:

Please see attached surface water calculations detailing the requirement and suitability for soakaway dimensions of **5.5m x 3.0m at a depth of 1.5m** below the invert level based on the proposed contributing area of 160m² (roof area of house and garage) up to a 1 in 30 year event with 35% allowance for climate change.

Soakaway Details can be found in Appendix.

SEPA consent will be required prior to the installation of the proposed drainage.

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course and any inland and coastal waters, permeable drain (including culvert), road or railway
- 5m from a building or boundary

Rectangular pit design data:-

Pit length = 5.5 m
Depth below invert = 1.5 m
Imperm. area = 160 m²
Return period = 30 yrs

Pit width = 3 m
Percentage voids = 30.0%
Infilt. factor = 0.000019 m/s
Climate change = 35%

Calculations :-

Surface area of soakaway to 50% storage depth (not inc. base):-

a_{s50} = 2 x (length + width) x depth/2 = 12.8 m²

Outflow factor : O = a_{s50} x Infiltration rate = 0.0002422 m/s

Soakaway storage volume : S_{actual} = length x width x depth x %voids/100 = 7.4 m³

Duration	Rainfall mm/hr	Inflow m³	Depth (hmax) m	Outflow m³	Storage m³
5 mins	93.4	1.2	0.24	0.07	1.17
10 mins	72.3	1.9	0.36	0.14	1.78
15 mins	60.3	2.4	0.44	0.22	2.19
30 mins	42.6	3.4	0.60	0.44	2.97
1 hrs	28.8	4.6	0.75	0.87	3.73
2 hrs	18.8	6.0	0.86	1.74	4.27
4 hrs	12.1	7.7	0.86	3.49	4.25
6 hrs	9.3	8.9	0.75	5.23	3.70
10 hrs	6.7	10.7	0.40	8.72	1.96
24 hrs	3.8	14.4	0.00	20.93	0.00

Actual volume : S_{actual} = 7.425 m³

Required volume : $S_{reqd.}$ = 4.270 m³

Soakaway volume storage OK.

Minimum required a_{s50} : 7.33 m²

Actual a_{s50} : 12.75 m²

Minimum depth required: 0.86 m

Time to maximum 2 hrs

Emptying time to 50% volume = t_{s50} = S_{reqd} x 0.5 / (a_{s50} x Infiltration rate) = 02:26 (hr:min))

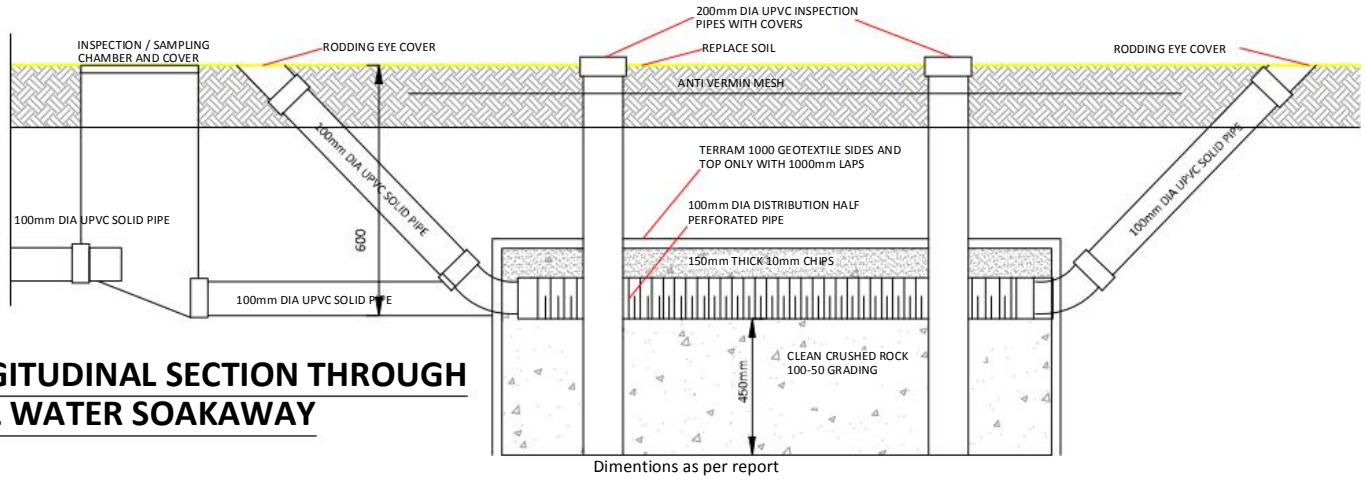
Soakaway emptying time is OK.

Location hydrological data (FSR):-

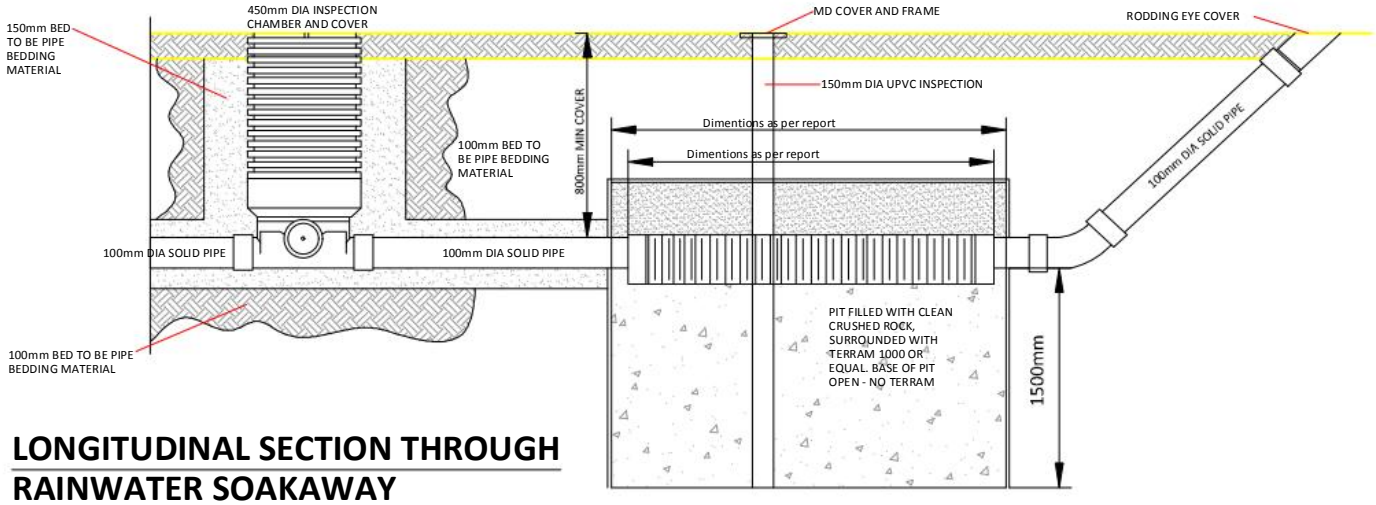
Location	= Forres	Grid reference	=
M5-60 (mm)	= 14	r	= 0.24
Soil index	= 0.15	SAAR (mm/yr)	= 720

Soil classification for WRAP type 1
i) Well drained permeable sandy or loam soils and shallower analogues over highly permeable limestone, chalk, sandstone or related drifts;
ii) Earthy peat soils drained by dykes and pumps;
iii) Less permeable loamy over clayey soils on plateaux adjacent to very permeable soils in valleys.

N.B. The rainfall rates are calculated using the location specific values above in accordance with the Wallingford procedure.



LONGITUDINAL SECTION THROUGH FOUL WATER SOAKAWAY



LONGITUDINAL SECTION THROUGH RAINWATER SOAKAWAY

REV:	DESCRIPTION:	BY:	DATE:

STATUS: ISSUE

gmcsurveys
Surveys, Setting Out, Civil Engineering Design
T: 07557 431 702
E: gmcsurveys@gmail.com

CLIENT: Mr R Proctor

SITE: Sourbank Rafford

TITLE: Soakaway Details

SCALE AT A4:	DATE:	DRAWN:	CHECKED:
NTS	NOV2020	GM	

PROJECT NO:	DRAWING NO:	REVISION:
0956C	Appendix	-

Gary Mackintosh
Email: gmcsurveys@gmail.com
Tel: 07557431702

gmcsurveys

Surveys, Setting-Out Civil Engineering Design

Culvert Proposals

SOURBANK, RAFFORD

Gary Mackintosh Bsc
gmcsurveys@gmail.com

Client:

Mr G Proctor

Site Address:

Proposed New Access
Sourbank
Rafford

Planning Reference:

N/A

Date:

3rd November 2020

Job Number:

RB01

Company Information:

Assessment completed by:

Gary Mackintosh Bsc
GMCSurveys
34 Castle Street
Forres
Moray
IV36 1PW
Email: gmcsurveys@gmail.com
Telephone: 07557431702

Introduction:

It is proposed to construct a new access to a new private dwelling house located at Sourbank to the south east of Rafford, By Forres.

The proposed crossing is to be located opposite existing property 'Parkview and the final surfacing of the access is to be confirmed. The proposed access width as shown within Appendix B is to be 3.75m in width.

There is an existing culverted access to 'Brookwood' located approximately 50m to the north east with a diameter of 700mm.

GMC Surveys have been asked to provide suitable calculations demonstrating the required culvert sizing for the proposed new access.

Description of Works:

The crossing as measured from top of bank to top of bank is approximately 6.8m in width at the widest point with a depth of 1.9m to the invert level of the channel.

The preferred option is to install a short span bridge to provide a crossing. Due to the width of the span taking in to account the additional length required to provide structural integrity, the installation of a short span bridge has been deemed not practical in the delivery of the single house development.

The Calculation sheet within Appendix A indicates the suitability of a 1200mm x 1200mm box culvert to be installed at a length of 4.5m which would be adequate to manage peak flows up to a 1:200year event.

The culvert is to be set in to the channel of the burn at a level of 200mm below the existing invert, the internal base of the culvert is to be made up to existing burn levels using bed material to act similar to an open channel culvert. The use of a box culvert has been proposed to provide the structural integrity required for the potential access of larger vehicles.

The Proposed Culvert details have been provided in Appendix B and the suitability of the details are to be confirmed by SEPA.

APPENDIX A

Culvert Sizing Calculations

Culvert Capacity Estimation - Rafford Burn

Mean Velocity and maximum flow through a 1.2 metre x 0.6 metre concrete box culvert with a total length of 17.4 metres.
Inlet level of culvert 10.51 metres and outlet level of culvert 10.341 metres.

Method used based on standard Manning's equations

Water Density, Dynamic and Kinematic Viscosity Estimates
(Based on mean water temperature)

Temperature of water: $T := 7.82\ ^{\circ}C$ or $T = 980.97K$

Density of Water Estimates
The density of water calculated for the given temperature above using the Thiesen Equation

Constants used for water in Thiesen Equation

$a^1 := -3.983035$ $a^2 := 301.797$ $a^3 := 522528.9$ $a^4 := 69.34881$ $a^5 := 999.974950\ kg\ m^{-3}$

Density of water at given temperature $\rho := a^5 \cdot \left(1 - \frac{(T + a^1)^2 \cdot (T + a^2)}{a^3 \cdot (T + a^4)}\right)$ $999.862\ kg\ m^{-3}$

Dynamic Viscosity Estimates

The dynamic viscosity calculated using the Vogel equation parameters

a := -3.7188 b := 578.919 c := -137.546 Temperature in Kelvin $T^k = 280.97$

Dynamic viscosity at specified temperature $\mu := e^{\left(a + \frac{b}{c + T^k}\right)}$ 0.001374 N s m̄²

Kinematic Viscosity Estimates $\nu := \frac{\mu}{\rho} = (1.374 \cdot 10^{-6})\ m^2\ s^{-1}$

Kinematic viscosity of water at specified temperature

Metric constant u:= 1
Width of box culvert B := 1.2m Depth of box culvert D := 1.2m

Manning's Coefficient based on concrete constructed channel

Coefficient range between 0.011 and 0.025 mean value: n := 0.0180 s m

Total cross-sectional area of culvert $A := B \cdot D = 1.44\ m^2$

Total wetted perimeter of culvert $P^w := 2 \cdot (B + D) = 4.8m$

Hydraulic radius $R^h := \frac{A}{P^w} = 0.300m$

Vertical drop along culvert d:= 46.60m – 46.43m = 0.170m

Length of culvert l := 4.5m

Longitudinal slope of culvert $S^o := \frac{d}{l} = 0.037$

Mean velocity through the culvert at full capacity: $V := \frac{u}{n} \cdot R_h^{\frac{2}{3}} \cdot S_0^{\frac{1}{2}} =$ 4.789 m s^{-1}

The maximum flow that the culvert can pass: Q := V • A = 6.896 m^3 s^{-1}

Since the peak flow rate generated during a rainfall event with a specified annual probability is known the depth of water of water in the channel during the event can be estimated as follows:

Time taken to flow through the culvert: $time := \frac{l}{V} = 0.809s$

Peak flow estimaed for 1 in 200 year return period: Q_{200} := 1.59 m^3 s^{-1}

Cross-sectional area of partially full culvert: $A_{par} := \frac{Q_{200} \cdot time}{l}$:= 0.285m³

Total depth of water in culvert: $D_{par} := \frac{A_{par}}{B}$ = 0.237m

Flow inertia to gravity or Froude number: $F := \frac{V}{\sqrt{g \cdot D_{par}}}$ = 3.140

Since the depth of water during a 1 in 200 year return period is less than would occur during a pipe full the reduction in frictional loss will temporarily increase the flow in the culvert.
The following estimates are to determine if this increase in flow would exceed the maximum capacity of the box culvert.

Total wetted perimeter of a partially full culvert: $P_{par} := B + 2 \cdot (D_{par})$ = 1.674m

Hydraulic radius of a partially full culvert: $R_{par} := \frac{A_{par}}{P_{par}}$ = 0.170m

Hydraulic diameter of a partially full culvert: $D_h := \frac{4 \cdot A_{par}}{P_{par}}$ = 0.681m

Renolds number: $Re := \frac{\rho \cdot V \cdot D_h}{\mu}$ = 2373259.781

d'Arcy friction coefficient for turbulent flow: $f := \frac{0.316}{Re^{0.25}}$ = 0.00851

Mean velocity of water in partially full culvert: $V_{par} := \left(\frac{2 \cdot g \cdot S_0 \cdot 4 \cdot R_{par}}{f}\right)^{\frac{1}{2}}$ = 7.616 m s^{-1}

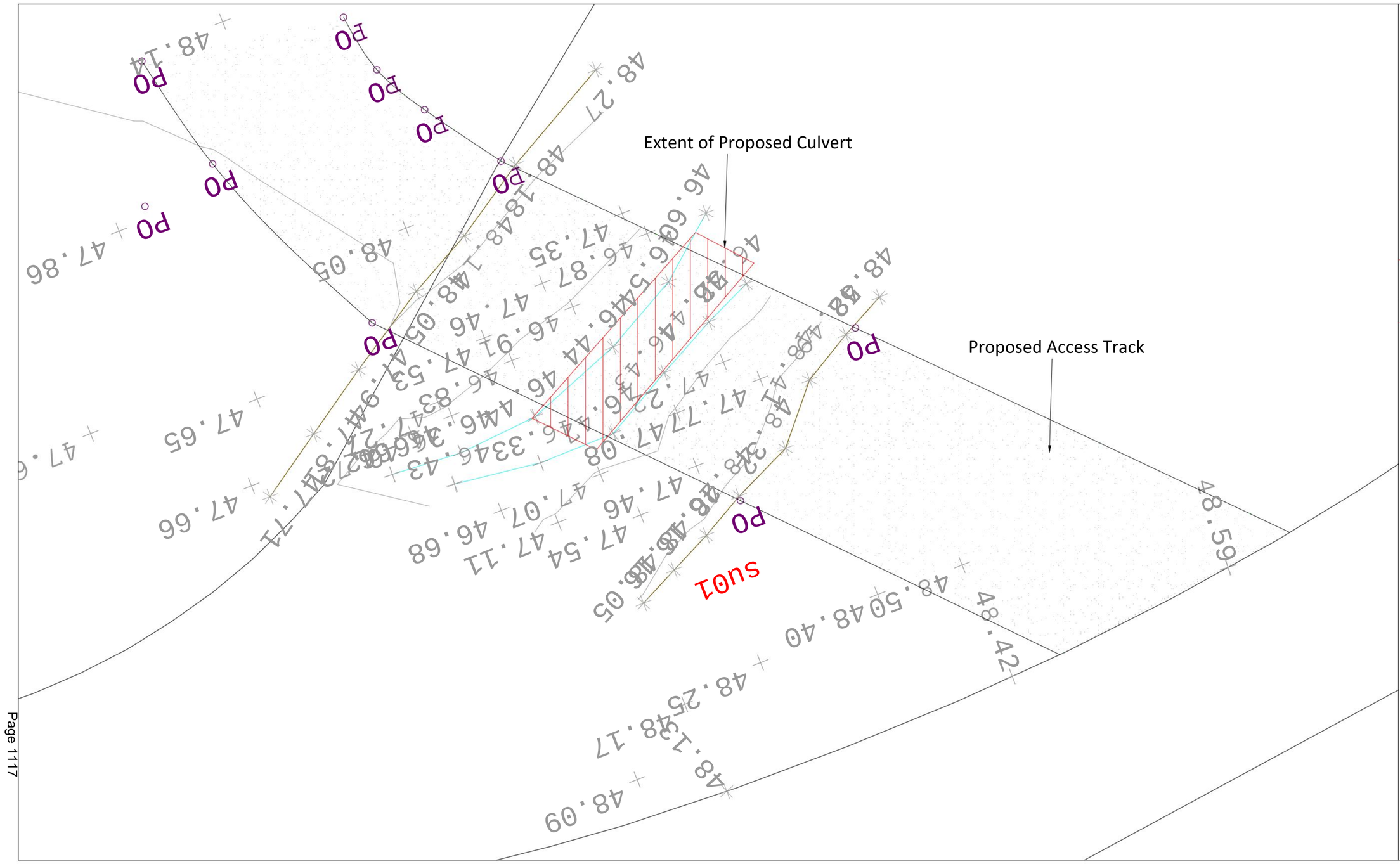
The peak flow that the partially full culvert will pass: $Q_{par} := V_{par} \cdot A_{par}$ = 2.170 $m^3 s^{-1}$

The maximum flow of water that the box culvert can pass in 4.789 cubic metres per second and the peak flow during a 1 in 200 year return period is only 1.59 cubic metres per second and even when partially full the peak flow will increase to 2.170 cubic metres per second temporarily due to a higher velocity caused by a decrease in the wetted perimeter. The proposed 1.2m x 1.2m box culvert would therefore be adequate.

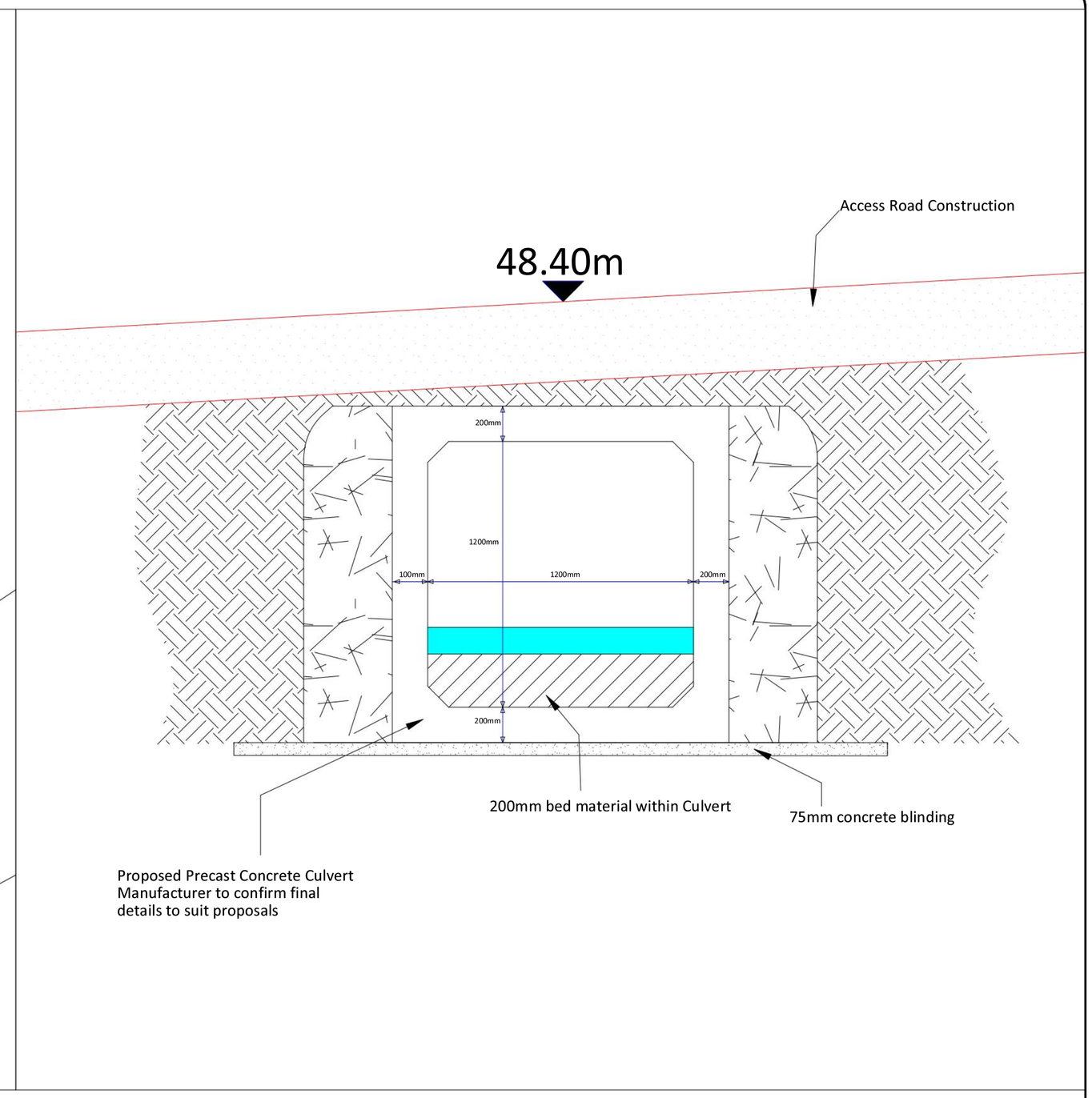
During partually full culvert conditions the Renolds is greater than 4000 and the Froude number is greater than 1 therefore the flow will be supercritical and turbulent.

APPENDIX B

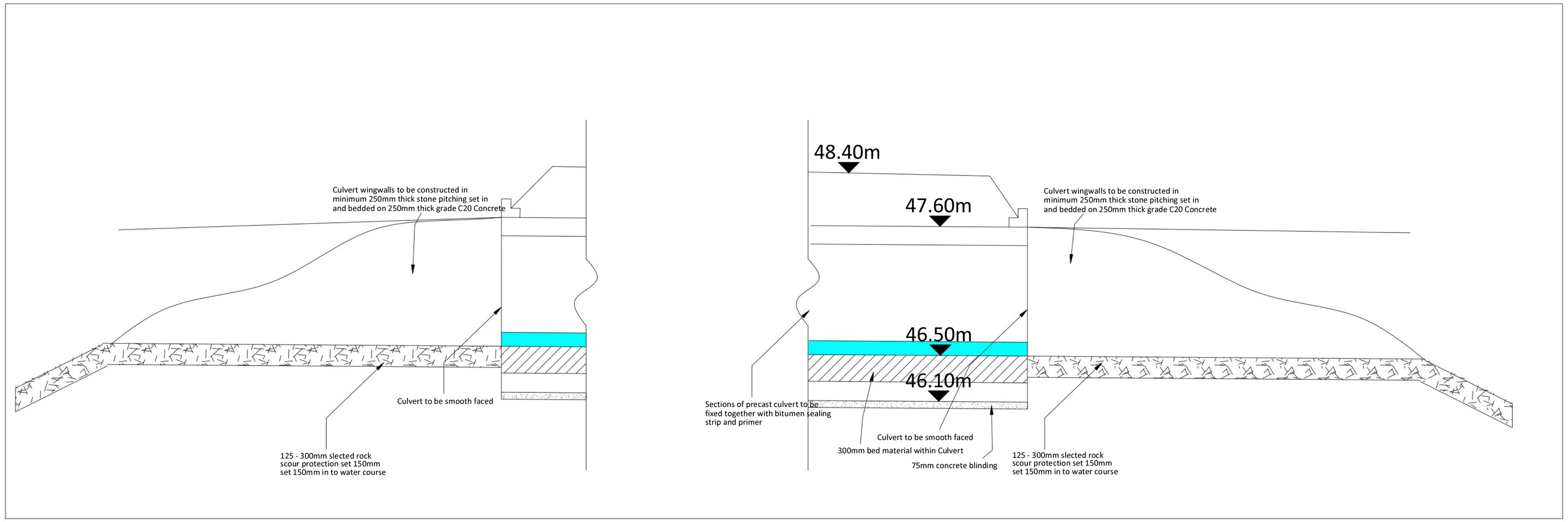
Culvert Details



Culvert Location/Plan View 1:50



Culvert Cross Sectional View NTS



Culvert Inlet Outlet Detail NTS

REV:	DESCRIPTION:		

STATUS: Construction Issue

gmcsurveys
Surveys, Setting Out, Civil Engineering Design
T: 07557 431 702
E: gmcsurveys@gmail.com

CLIENT: Mr G Proctor

SITE: Proposed new Access Sourbank, Rafford

TITLE: Culvert Details

SCALE AT A1:	DATE:	DRAWN:	CHECKED:
SHOWN	NOV20	GM	
PROJECT NO: RB01	DRAWING NO: 900		REVISION:

APPENDIX 3

FURTHER REPRESENTATIONS FROM INTERESTED PARTIES

Lissa Rowan

From: [redacted]
Sent: 13 June 2021 20:12
To: Lissa Rowan
Subject: Re: Notice of Review - Planning Application 20/01658/APP

Warning. This email contains web links and originates from outside of the Moray Council network.
You should only click on these links if you are certain that the email is genuine and the content is safe.

Dear Lissa,

Thank you for the opportunity to comment on the submission regarding notice of review for the planning application 20/01658/APP .

I understand that previous comments submitted will be included in the review, so would like to draw out some particular points relating to the submission

The central argument of the submission is for an exception based on agricultural need , despite the planning authority guidance that there is no grounds for such an exception

That notwithstanding , the argument for need is predicated on there being no other options available, despite a 12 year search . This argument is not credible . Even within the last year there have been multiple properties sold in the same location - Sourbank farmhouse , Tulloch Cottage, and the plot to the rear of Tulloch cottage - which would have been compatible in cost . All of these would have presented viable options in this immediate timeframe - with other properties and plots in the immediate area also having been available in the preceding period . There are no doubt other properties that will become available in the near future

There is an associated arguement relating to affordable housing . Given obvious expenditure by the applicant on this application , other expenditure, this does not appear to be an issue in this instance .

For both of these reasons it would appear that the intent to progress with this application is a matter of preference rather than need. There have been multiple options for meeting any need from existing housing stock or approved plots that have not been taken up by the applicant .

I would also like to draw out a few other points:

- on drainage , the planning application makes no reference to existing drainage demands on the field, The drainage field from the sceptic tank for Sourbank and Sunil an Mara runs a substantial distance into the field. There is a risk that additional restraint on the capacity of the field to act as a soakaway could compromise these existing drainage facilities. These are underpinned by a burden on the field in which the application relates

- the submission asserts (design point E) that the right to privacy of other properties will not be affected. This is clearly not the case. The new access route would impose significantly upon Parkview, and there would be privacy implications for TullochCottage , Sourbank Farmhouse and other properties .

- planning policy describes this as a pressurised and sensitive area. Other recent developments in the immediate area have been descrete in nature largely within wooded areas. The infrastructure for the locality

is under increasing pressure and is already fragile - whether this be overhead electricity delivery , off grid drainage, road usage , refuse facilities etc

- the narrative regarding the timeline of the applications suggests that the application withdrawn so in late 2019 was done so due to further consultations . In fact as I understand it the access route to the field proposed at this time was not viable

Yours sincerely

[redacted]

[redacted]

Sent from Yahoo Mail

On Thursday, June 10, 2021, 8:50 am, Lissa Rowan <Lissa.Rowan@moray.gov.uk> wrote:

Edu

Democratic Services

Moray Council

Dear Sir/Madam,

Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 ['the Regulations']

Notice of Review: Planning Application 20/01658/APP – Erect 1.25 Storey Dwelling House and Detached Timber Garage at Site South-West of Sourbank Farm, Rafford, Forres

As an interested party to the above application, you are hereby notified that a Notice of Review (NOR) has been served on the Moray Local Review Body (MLRB). The MLRB now have a statutory responsibility to review the original decision.

The NOR and associated documents can be viewed at http://www.moray.gov.uk/moray_standard/page_65978.html.

All representations previously made by you will be considered by the MLRB. If you want to make further representations, these should be sent to the Clerk of the MLRB, by email or post at the above address, **on or before 25 June 2021**.

Please note, it is important that you consider whether the NOR contains new matters (not forming part of the original application) which you would now like to highlight and/or comment on. The statutory process does not provide this opportunity at a later date.

Any further representations that you make will be forwarded to the Applicant for comment.

In due course, you will be notified of the date, time and venue of the review meeting.

If you have any queries, please do not hesitate to contact me on the above details.

Yours faithfully,

Lissa Rowan

Committee Services Officer

Clerk to the MLRB

Notice of Review: Planning Application 20/01658/APP -

Objection

Specifically looking at our property of Park View, you will see in our provided photographs just how close the proposed access bridge is from our back door. It is mere yards from our main entrance, kitchen window and bedroom window. The photographs that Mr Proctor provide are somewhat misleading and do not show the true proximity that this development is to our home.

You have stated 'the proposal has been demonstrated to have no impact upon residents amenities in terms of privacy, daylight or being overbearing'. We have recently, within the last 2 years, opened up our kitchen dining area to enjoy more time in this room, adding a breakfast bar to enjoy the views. There is proposed trees to be built to help with privacy, yet this will just obstruct our views.

You have stated that traffic increase will be insignificant. At present there are only walkers and horse riders using this route. Building a family home will of course bring more traffic; families visiting and Mr Proctor using his agricultural vehicles on a daily basis for example. In time, Mr Proctor will, I'm sure have his own family, who will eventually have their own vehicles. This will create a level of noise going up and down this road past our property. The consistent noise, lighting and views of these vehicles would be incredibly invasive and indeed, "overbearing" to our privacy and peace. We cannot emphasise enough how much this will impact the quiet life we plan to retire in.

We would like to whole-heartedly reiterate; this development would have significant impact on privacy and way of life. We built our property over 30 years ago in the country specifically to enjoy the peace and quiet country life brings. The proposal of Mr Proctors property would have a detrimental impact in our lives. At present date we have four young grandchildren who can enjoy the open grounds freely when they visit on a weekly basis. This would need to be stopped due to the vehicles so close to the property, it would no longer be safe.

I would like to note that we did have discussions with Mr Proctor regarding his access, but he was unable to negotiate with ourselves on alternate solutions. We stressed to Mr Proctor that the main issue we have with the development is the access route being so close to our home. Furthermore, we would also note that we have, ourselves, maintained this road, never Mr Proctor.

We understand that the farming business is very important however it has been stated that Mr Proctor has been trying to get planning permission now for 12 years. He sold one of his plots within this time frame, that was then put back on the market and was, for a number of years, why was this land not purchased back? It would clearly have provided a sound option for the development being in close proximity to the farm in question?

Mr Proctor has also provided photographs of other new build in the area. We find these to be irrelevant. We do not know the circumstances of these new builds and if they indeed had any impact on the occupiers at that time.

Although we do sympathise and understand the importance of the family business, these developments to aid in the running of the business cannot be to the detriment of others. It is unfair to expect us and those who share our living area to support a development that will invade our privacy and have hugely negative effect on the protected region that we live in.

We respectfully ask Mr Proctor and his family to explore other options and consider other areas of land that are not protected zones and do not impact the living of those who current reside there.

Proposed bridge

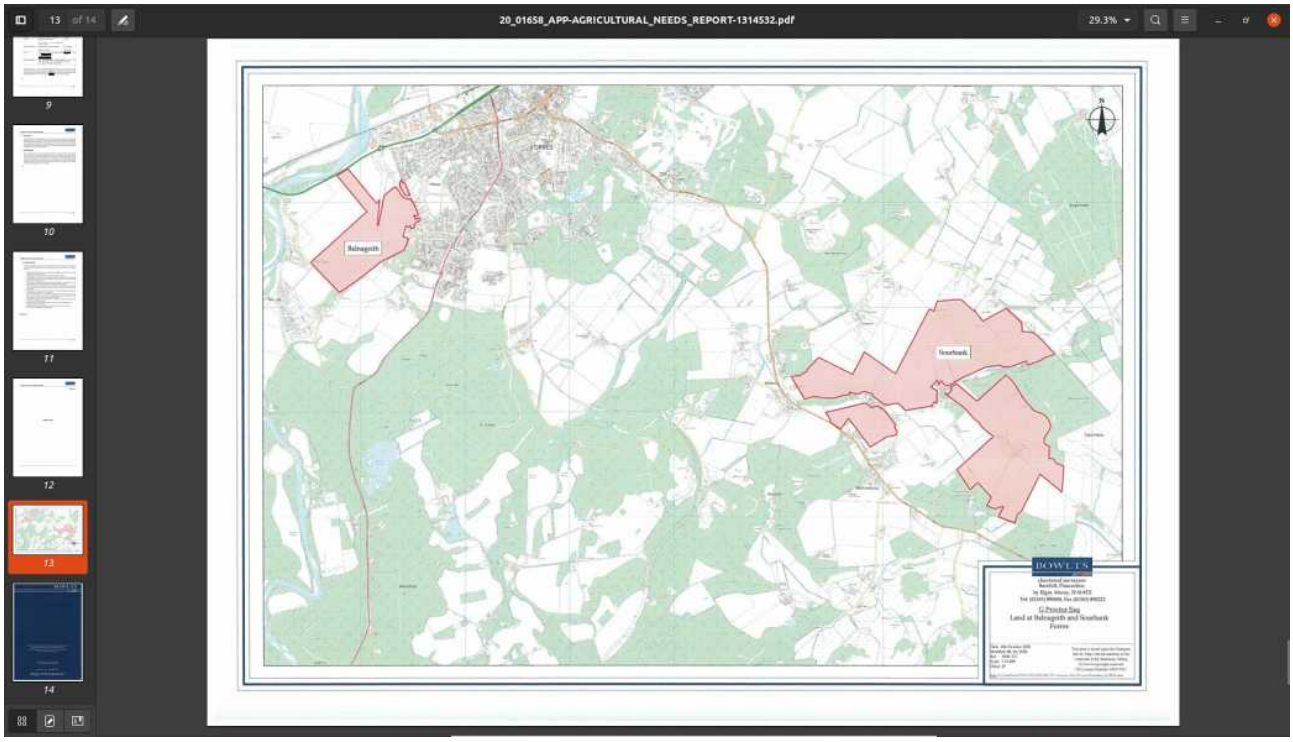
Close proximity of neighbouring properties

Comments on Review of Planning Application 20/01658/APP by interested party at [redacted] 22nd June 2021

The applicants have submitted a further lengthy statement in support of their application which was rejected by the planning officer based on policies within the Moray LDP of 2020.

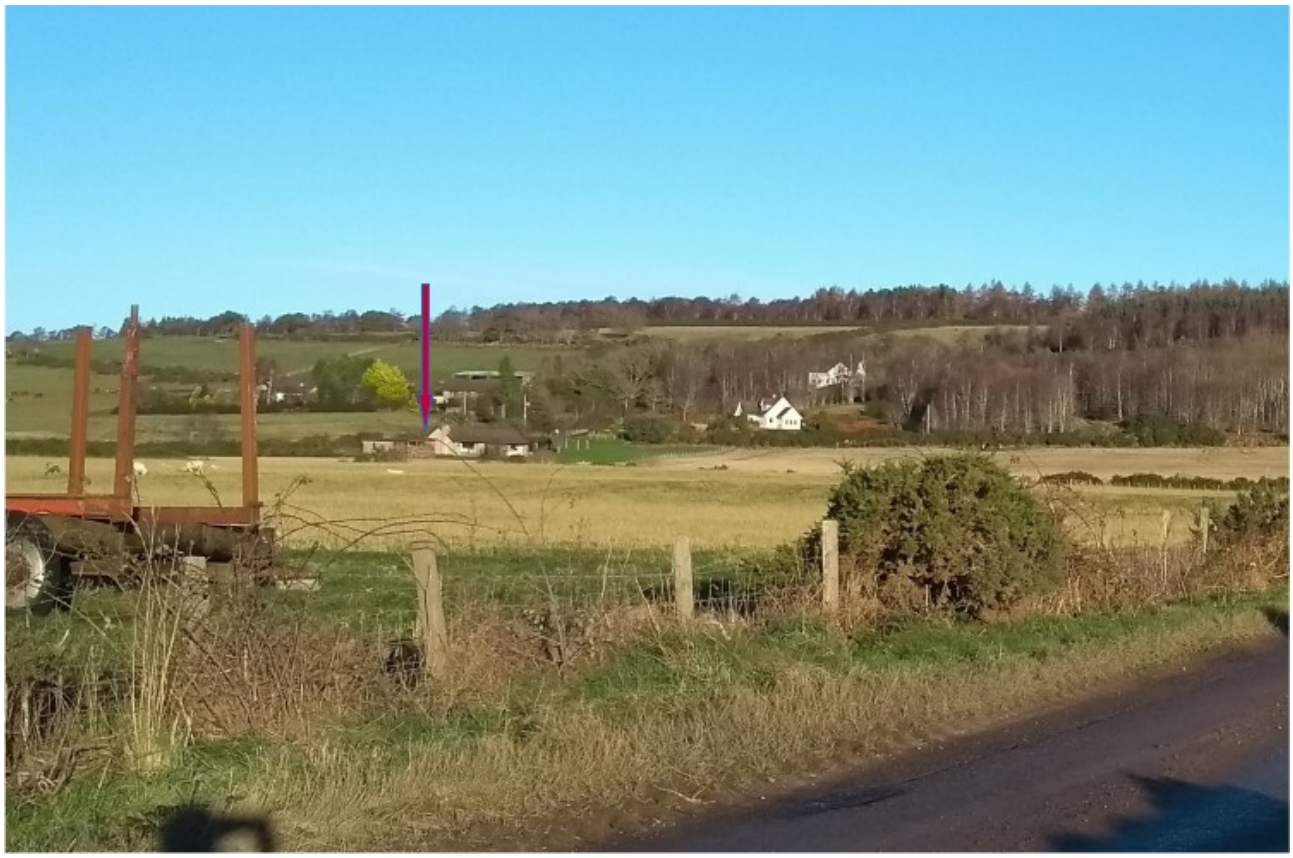
They repeat the argument that they need to build a house for farming succession planning and point to Moray being an outlier in terms of special provision for farmers and farm workers. Whilst we are sympathetic to the need for a house on the farm, we do not believe that this is the only possible site. If you take a look at the map in the Agricultural Needs document, it is clear that the holding is extensive and much of it is not within the sensitive and pressurised area. Some of the land appears to adjoin Rafford village.

Map of The Farm:



We note that the revised planning statement contains many new photographs. These are misleading in that they have all been taken in summer time when there is more screening from vegetation. The visual impact of any further development will be much greater in winter. Below is a photograph and a zoomed image taken from it which show how the existing buildings become more prominent in winter. The photo was taken from beside the communal bin store at the entrance to Cloddach Farm on the U102E in December 2020.

And a zoomed view from this shot with the site arrowed:



The visual impact of the proposal will be greater than the planning application suggests. It is understandable that an applicant will put their proposal in the best possible light, but some balance from people with local knowledge is needed if you are to make a considered decision.

In a similar “staging” vein , the photographs in the original supporting statement showing the junction of the track onto the U102E were taken following unauthorised and out of season hedge cutting along the southern border of Tulloch Cottage. This made visibility along the narrow road appear better. Moray council confirmed that they did not and would not have cut back the bushes at that time of year (during the nesting season) when we asked them in July 2020.

Finally, their photo of the bins which serve 12 residences to our knowledge is not representative. They are most often overflowing as in the photo below taken on Monday 21th June 2021. They had been this way since the previous Wednesday and were not due for emptying until the middle of the week.

The U102E is too narrow and a dead end with no public turning circle for the bin wagons to use, so any additional homes would have to use the existing inadequate store.

Present infrastructure does struggle to support the existing homes, and we don’t understand why the effect of cumulative development on infrastructure is not a planning issue as stated in the previous planning response.

Likewise, we are not reassured that there is no flood risk as we live in a time of increasing flood events due to climate change. We do not feel it wise to add another potential restriction to the burn.

There are also inconsistencies in the application over affordability – the applicant is the family business, and not the young farmer just starting out.

In summary, the site chosen by the applicants is in a sensitive and pressurised area, and because of this, the application has been rejected by the planning officer.

No one disputes the need for a farm house for the successor to the family business, but local residents do not believe there is nowhere else on their extensive holding where the applicants could build. There would be no need to ask for an exception if a site which meets planning criteria had been chosen.

We urge you to reject this application on planning grounds as per the Moray LDP.

APPENDIX 4

APPLICANT'S RESPONSE TO FURTHER REPRESENTATIONS

RESPONSE TO FURTHER REPRESENTATIONS TO LOCAL REVIEW RELATING TO:

PLANNING APPLICATION REFERENCE: 20/01658/APP

LOCAL REVIEW REFERENCE: LR/LR259

This paper is submitted as a response to the Further Representations 1-3 received following notification by Moray Council.

It is worth stating at the outset:

This is a planning application, and it is the adopted planning policies and other material planning considerations that are of strict relevance to its consideration. Notwithstanding the representations received, it is only those material to planning that can be considered in the decision-making on this planning application.

The policy support and merits of the application are already well-documented in the submitted Planning Supporting Statement and Notice of Review Statement and it is not the intention to repeat it all again here, unless necessary to directly respond to a point made. This Response should therefore be read together with the information already submitted.

The following tables capture and respond to all the points raised in the Further Representations including those which are non-material. Responses are provided to the non-material points merely to correct misleading information and state the facts. Those points which are non-material should be totally disregarded by the Local Review Body when deciding on this application. The representations are captured under the following subject headings:

- **AVAILABILITY AND SUITABILITY OF OTHER OPTIONS**
- **PHOTOGRAPHS**
- **INFRASTRUCTURE**
- **FLOODING AND DRAINAGE**
- **AFFORDABILITY**
- **LOCATION IN PRESSURISED AND SENSITIVE AREAS**
- **AMENITY**
- **ROAD SAFETY**
- **MISCELLANEOUS ISSUES**

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AVAILABILITY AND SUITABILITY OF OTHER OPTIONS

Objections have been raised asserting that there are other locations available to the applicant within the extended farm holding, including land adjoining Rafford Village and outwith the Pressurised and Sensitive Area.

The reasons for the chosen location (and therefore the reasons why alternative locations are not acceptable) are already fully outlined in the submissions.

The applicant has demonstrated that the site, the subject of this review, is the only available, viable and suitable site. It is not the case that the applicant has recently chosen this site without any forethought. The site choice follows an extended and costly search over the past 12 years. The applicant in searching for a site for a farmhouse must consider factors beyond those a member of the public would in choosing their house location. As stated, this is not a house for A. N. Other. This is a house to enable the succession of this farm holding into the future. The reasons for the site location are fully outlined in the submission and have not been acknowledged by the Representees.

By way of one example reason, the suggestion that the house could be located immediately adjacent to Rafford or on land outwith the Pressurised and Sensitive Areas would not support the ongoing animal husbandry needs, as asserted by the applicant through the Agricultural Needs Assessment. It would not be practical nor sustainable for the efficient running of the farm. Those inefficiencies are currently evident to the applicant whilst currently trying to make a living from the existing base near Rafford. Any alternative location within the Pressurised and Sensitive Areas is unlikely to meet the planning policy tests and would not be supported by the Agricultural Needs Assessment.

As such, if the applicant were to randomly chose an alternative site for the farmhouse, that was not close to the farm steading (where the cattle are sheltered, housed, and wintered), it would not be practical. This ties in with the Agricultural Need Assessment.

Whilst there <u>were</u> other potential site locations, every one of these have been openly presented in the submissions along with factual and genuine reasons for their dismissal, e.g., access, availability of services and utilities, loss of quality farmland, viability and practical reasons relating to the efficient running of the farm holding into the future, particularly in relation to animal husbandry, as part of this farming succession.

With respect to those Representees asserting that there are alternatives, as they have not managed this farm holding, they do not have all the available facts to claim any other site is available, viable or suitable for the applicant. Their views are just that, based on false assumptions, which show a misunderstanding of the operational requirements of this farming business.

It is also asserted in the representations that there have been several available properties and plots, but these have been sold by the applicant, implying that this whole situation has been engineered.

This assertion is false. The fact is that in the past 12 years there has been only one plot sold and built on. The fact is that this planning application comes at the end of a long and costly 12-year search. It is inconceivable why it would be asserted that any person would invest time and money for this long period whilst exploring other sites and engineering the whole situation, just to engineer the submission of this planning application 12 years later.

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Notwithstanding all the above misguided suggestions and false assumptions of the applicant's needs, this planning application is for this site alone and not another site.

The fact is that this remains the only viable option to the applicant that meets all their needs as a fourth-generation farmer managing this farm holding. It is this site that must be assessed against planning policy and other material planning considerations.

PHOTOGRAPHS

It is asserted that the photographs provided are misrepresentative and 'staged.' This is categorically not accepted by the applicant.

In the first instance, 'staging' of photographs is also a pointless exercise. The planning officer visits the site as part of their assessment and if photographs were 'staged' then this would easily be found out. The purpose of the photographs is merely to demonstrate the case for approval to the planning officer and for them to consider as part of their assessment.

By way of direct responses to the representations, any new photographs that have been provided were taken during May 2021 and were necessary to address the concerns within the Officer's Handling Report and the reasons for refusal; neither of which were available during the winter months.

The appeal must be submitted within a 3-month timeframe, necessitating any additional photographs to be taken during the months of May, June, and July.

However, it should also be pointed out that there were photographs submitted with the planning application in December 2020, including photographs taken between August and the submission date.

It is not therefore correct to assert that the applicant has in any way chosen the timing for the photographs or that they are misleading; they have been taken at different times to suit the submission date and the appeal timeframe.

Regardless of the assertions made in the representations, all the photographs provided accurately show the site from a public domain and they have not been 'staged'.

It is accepted that in winter there may be less screening from vegetation, dependent upon the nature of that vegetation (size, species, and whether it is deciduous or coniferous). However, the proof is in the photographs and site visits undertaken by myself and the applicant. They all show significant mature landscaping around the site, in the vicinity and viewed from the public domain.

LRB59 Further Representation 3 has included two photographs to demonstrate an impact on the landscape in December 2020. The first photograph in fact assists the Review and clearly shows that the new house would not be clearly visible within the landscape. Even during the winter months of December, as shown, there is substantial mature landscaping providing a natural backdrop and hedging in the foreground. The second zoomed photograph, whilst it shows an arrow for the location of the house (which is incorrect),

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demonstrates that to see the site it is necessary to use a zoom facility on a camera or indeed a pair of binoculars. All sites will generally be visible if a high-powered lens is pointed at the target. The reason for the 'zoomed' photograph submitted by the applicant (Photograph 3 in the Notice of Review Statement) was to show that even with a magnified view of the site, there is no harm caused by the construction of the proposed house on this site. In fact this photograph is more honest than the Representees in that it shows the field in full view.

It is also worth pointing out the planning test here is not whether you can see the house/plot but whether it has a detrimental and visual impact upon the landscape. An argument together with a significant number of photographs taken at different times and from different viewpoints have been presented by the applicant in the submissions and accordingly it has been fully demonstrated and proven that there is no harmful impact.

It is also implied that the applicant does not have 'local knowledge'.

As stated in the submissions, the applicant and his family have worked their farm holdings for four generations and clearly are well qualified to have local knowledge about the landscape, more so than the existing residents. The applicants are out in the landscape, every hour of the day, day in, day out, in every season and it is therefore asserted by the applicant that of all those involved in this process, they are best placed to have that knowledge. In fact, the natural landscape, is undoubtedly a legacy of their undertaking through planting, growing, etc on the land.

It is asserted in the representations that 'staging' has occurred relating to the 'unauthorised' hedge cutting.

In the first instance, most of the photographs in the original planning submission were taken by me, with no knowledge of the situation in terms of hedge cutting etc, as such 'staging' could not have occurred. Those submitted in the Notice of Review Statement were taken by the applicant to fit within the statutory Review timeframe.

By way of fact, the applicant undertook the hedge cutting solely to assist road users, including the residents of Sourbank and the surrounding area. The hedges had not been cut by Moray Council. They were cut back so cars could drive along the road without scratching their paintwork and avoid the potholes that were being created because of residents of Sourbank and the surrounding area driving predominantly up the one side of the road in order to avoid these hedges, which were hugely overgrown. Furthermore, not only did the use of one side of the road create potholes, the use of the verges as an alternative caused the road to become dirty and dangerous.

As such, it is therefore fact the cutting of hedges was <u>not</u> a 'staging' exercise but instead since no other person took it upon themselves to alleviate the problems being cause, the hedges were cut as an act of goodwill on behalf of the applicants and the residents of Sourbank, who could then commute to and from their homes with greater ease.

It is asserted by Further Representation 2 that the photographs provided by the applicant misrepresent the proximity of the site to their property, Park View.

These photographs are factually correct and have not been 'staged' or engineered to misrepresent. They, in combination with the drawings, accurately represent the situation on the ground. The photographs provided by the representee in fact confirm the significant distance between neighbouring properties.

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It is asserted that the hedge cutting was part of the 'staging' exercise by the applicant.

Whether the hedge cutting was 'unauthorised' etc is also not a matter for consideration as part of this planning review. Notwithstanding this, it is unclear why the removal of greenery would assist the applicant's case. Surely, it would be more 'staged' to allow it to overgrow so that the site might be less visible?

The provision of photographs of other new builds in the area is questioned.

Photographs of other new build in the area is provided, as stated, to demonstrate that Moray Council has permitted housing that has no landscape backdrop and is detrimental to the landscape and visual amenities. The photographs/cases are provided to demonstrate by comparison, this proposal has significant existing mature landscaping in which to sensitively locate a house without any detriment to the landscape.

Notwithstanding the above points, the fact is 'staging' of photographs is not a material planning consideration. The response here is to correct misleading statements made within the representations and to provide the Local Review Body with the facts of the situation.

INFRASTRUCTURE
Photographs have been provided by Further Representee 3 of some overflowing bins asserting that there are problems regarding refuse storage and collection, the road, turning etc. The assertion is made that the applicant's photograph of the bin storage area is misrepresentative of the situation.

The photographs provided by the applicant were intended to show the location of the bins and nothing further. It is therefore neither non-representative nor 'staged.' It could equally be asserted that the bins being full on the day of the Representee's photographs were 'staged' but it is not necessary for the applicant to put this forward as a rebuttal because it is for the Council's expert officers to decide whether the bin storage/collection relating to this proposal is satisfactory.

This issue was fully considered and dismissed in the Officer's Handling Report, confirming that the bin storage and collection was acceptable. The application was not refused on these grounds.

Pressure on electricity, drainage, road usage etc has also been raised by Further Representee 1.

No evidence has been presented by the Representee to demonstrate or prove the points made.

Those infrastructure matters which are material planning considerations have been covered in the planning submission and found to be satisfactory in the Officer's Handling Report. The application was not refused on these grounds.

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FLOODING AND DRAINAGE
It is advised that the Representees are not assured that there is not a flooding issue and that there are drainage issues. The fact is that this matter has been fully assessed by the Council's experts along with SEPA, the Scottish Government experts. **The fact is, flooding and drainage issues were fully considered and dismissed in the Officer's Handling Report, confirming that there was no flooding risk and that the drainage details were acceptable. The application was not refused on these grounds.**

AFFORDABILITY
A Representee advises that there are inconsistencies over affordability on the basis that this is a family business and not the young farmer. It is not considered necessary to repeat the affordability argument and how it fits within the context of agricultural need and farming succession. This is all fully demonstrated within the submissions. In brief, the proposed new house is required for farming succession for the young farmer, who will take over from his father and run the farming business. There is a proven agricultural need for both the house, its functional need and its location. Owing land on which to build a new house, which is the case here, significantly reduces the costs involved and therefore makes it more affordable. A basic search online will show that building plots for single houses in the Rafford/Forres area are currently being advertised at prices between £60,000 – 200,000. This price would not be applicable for the applicant since they already own the land. Their costs will only involve the construction costs, making it significantly more affordable. **The fact is that there is a prove need for affordable housing here to meet a genuine need. This need would be met by granting this planning permission.**

LOCATION IN PRESSURISED AND SENSITIVE AREAS
It is asserted that solely because there is no policy or exceptions allowed in the Moray LDP that allows housing in the Pressurised and Sensitive Areas, that this proposal should automatically be refused on this basis. As already stated, whilst there is no policy exception in the Moray LDP, this does not automatically mean that a proposal must be refused. Material planning considerations must also be considered when making a planning decision. The planning merits of the proposals must be considered. Moray Council can therefore legitimately decide to approve this application based on the individual merits presented, which are all material planning considerations. The submissions have presented those material planning considerations and merits as being:

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- Farming succession needs
- Agricultural, locational, and functional needs
- Affordable housing need and provision for a key worker
- Inconsistency of Moray LDP policies with most other Scottish rural authorities (in allowing housing when presented with a case based on the afore-mentioned bullet-pointed material planning considerations)
- Inconsistency with national planning policy, which seeks to be flexible and promote farming and the rural economy and the provision of affordable housing to meet all needs.
- Sustainable development and transport requirements

All these material considerations, individually and cumulatively, as presented in detail within the submissions in, provide a strong argument for the approval of this single house in this location to meet the applicant's needs.

AMENITY

It is asserted in Further Representation 2, that there is an impact upon residential amenity.

Regarding these concerns:

- The main elevation (and living area) for Park View is orientated away from the track, where there are uninterrupted views of the countryside. There is a boundary hedge along the boundary of the field from the rear. The house at Park View is below the level of the track, as fully demonstrated by the applicant in the submissions, but also now supplemented by those photographs provided by the representee. The relative level serves to restrict any view from the rear of the property. Furthermore, any view from the rear of Park View must of minimal value and directed at the gorse bushes, or indeed obstructed by their own parked cars (as also demonstrated in the photographs). If the view is important, it is questioned why the parking of cars is not undertaken elsewhere on their land.

  As this is the applicant's land (the fields and the track) they have the right to park any vehicle, which could obstruct that view (either permanently or temporarily whilst working in the field). However, this 'view' has in fact been enhanced for the representee (and would be maintained) by the creation of the gap, where the access would be created.

  Notwithstanding all of this, there is no right to a view in planning and whether the representee can view the fields (in the applicant's ownership) and beyond, or not, is irrelevant. This is not a material planning consideration for the Local Review Body.

- There would be no loss of privacy because of this proposal. The proposed new house is located sufficiently distant, orientated, and designed not to impact upon <u>any</u> neighbouring property's privacy.

- It is unclear how the creation of a new driveway/access to the proposed house can create a loss of privacy to <u>any</u> of the adjacent residential properties. This is an

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open field used for farming purposes and accessed by the applicant for those purposes. It is not an unused area with restricted human access.

- There would be no additional privacy issues relating to the use of the existing track for access to the proposed new house.

  This track is private and owned by the applicant and it is within their right to use it for access. Right of access is extended to this Representee. No other rights are given to the Representee.

  It is also a public right of way used by walkers, cyclists, and horse-riders.

  The construction of this proposed new house would not change this situation and involve any loss of privacy beyond what may already be experienced by the Representee by the applicant or members of the public using the track.

All relevant amenity issues have all been covered both in the applicant's submission and within the Officer's Handling Report and dismissed. The application has not been refused on this basis.

ROAD SAFETY
It is asserted that there is an impact upon road safety by the Further Representation 2.

Regarding these concerns:

- The traffic increase would not significantly increase. This is a minor development for one single house for one family, accessed directly from a track within the applicant's ownership (and not the Representees). This is a farm track and can already be used by the applicant for access by farm vehicles along the rear side of this property.

- There would be no road safety issues. The representee over-states the point by mentioning their grandchildren and imply they will no longer be able to freely use the garden. Those children presumably have access to the area to the front and side of the house, without the need to play in a dirt farm track at the rear of the house. With this being a farm track, regardless of a house being built or not, the current situation would not change. The grandchildren would still need to be road safety aware when outside, particularly since the Representee has chosen not to secure their garden with a fence.

Notwithstanding all the above, it has been fully demonstrated within the applicant's submissions that this is not the case. The Transport Section of the Council has confirmed that there are no road safety issues relating to this application other than the need to provide visibility splays. Visibility splays have accordingly been included in the proposals which fully meet their requirements.

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MISCELLANEOUS ISSUES
Whilst the representee states they have maintained the track; this is a choice and not a requirement. It is not a material planning consideration. It is unclear why Further Representee considers they know the facts relating the withdrawal of the previous application nor why this has any bearing on this application. The Representee is not correct in their assumption. However, whatever the point being made is, it is irrelevant and not a material planning consideration relating to this planning application.

It is concluded that none of the points raised in the Further Representations would override the material considerations and merits of this application such that it should be refused. No policy is referenced in their assertions. Most of the points raised are non-material considerations and should be dismissed accordingly. Similarly, many of the points are based on false assumptions rather than fact.

This response provides the facts of the situation and the case and therefore afford greater weight in the review of this case by the Local Review Body. The facts present a genuine case of need.

Accordingly, it is requested the Local Review Body allow this appeal to enable this long-standing farming business to go through the farming succession process and to continue this viable farming business for the future benefit not only of the applicant but to the rural economy and local community.

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MORAY LOCAL REVIEW BODY

26 AUGUST 2021

SUMMARY OF INFORMATION FOR CASE No LR260

Planning Application 21/00272/APP – Change of use and alterations to boat-shed to provide a hut for occasional overnight stays at site adjacent to 212A Findhorn, Moray

Ward 8 – Forres

Planning permission was refused under the Statutory Scheme of Delegation by the Appointed Officer on 14 May 2021 on the grounds that:

The proposal is contrary to the requirements of policies DP1 (I)(a & e), and DP8 & EP3 of the Moray Local Development Plan 2020 because:

- The site at 84m2 is not of a scale that reflects the existing pattern of residential development in the immediate vicinity and is therefore unsuitable for residential development of any kind;
- The relationship between the shed and the neighbouring house is such that use of the site even for non-permanent residential use would adversely impact on the amenity of neighbouring properties;
- There would be an adverse impact on the privacy of neighbouring properties as a result of overlooking from the proposed opening on the western elevation which is in close proximity to the site boundary and
- The proposal fails to reflect the traditional settlement pattern of the immediate vicinity and therefore would erode the traditional settlement character of the Culbin to Burghead Coast Special Landscape Character.

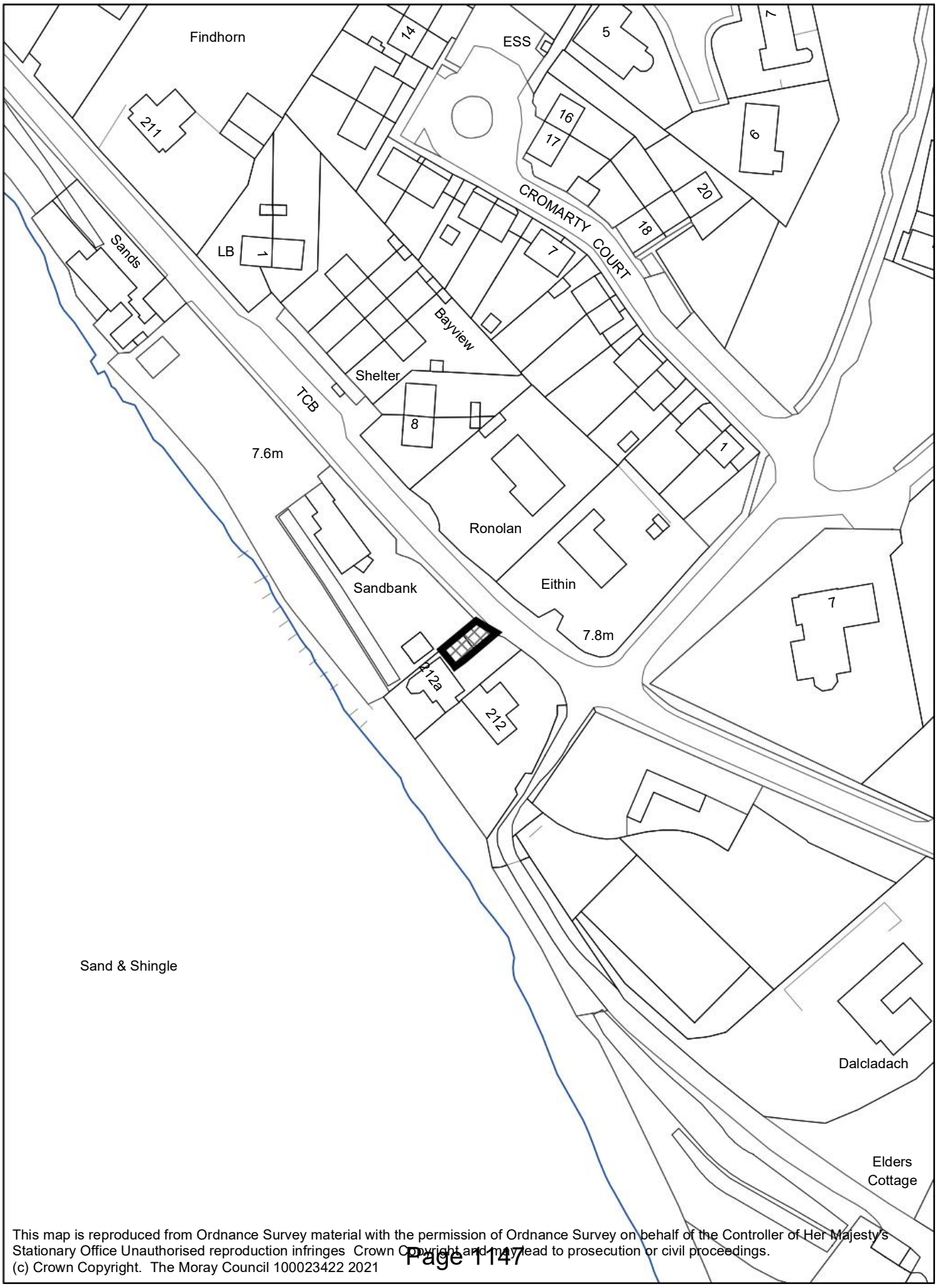
Documents considered or prepared by the Appointed Officer in respect of the above planning application are attached as **Appendix 1**.

The Notice of the Review, Grounds for Review and any supporting documents submitted by the Applicant are attached as **Appendix 2**.

A Further Representation received in response to the Notice of Review is attached as **Appendix 3.**

The Applicant's response to this Further Representation is attached as **Appendix 4**

Location plan for Planning Application Reference Number : 21/00272/APP



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APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100368805-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☒ Application for planning permission (including changes of use and surface mineral working).

☐ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

As described in attached Planning Statement. Change of use and physical alterations to boatshed to provide within same footprint, boatshed and Hut for occasional overnight stays

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☒ Yes ☐ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	9 Ormelie Terrace
First Name: *	Donald	Building Number:	
Last Name: *	Canavan	Address 1 (Street): *	9 Ormelie Terrace
Company/Organisation		Address 2:	Joppa
Telephone Number: *	[redacted]	Town/City: *	Edinburgh
Extension Number:		Country: *	Lothian
Mobile Number:		Postcode: *	EH15 2EX
Fax Number:			
Email Address: *	[redacted]		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1:	
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	
Post Code:	

Please identify/describe the location of the site or sites

Northing	863810	Easting	304440

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Previous application withdrawn before processing on advice from Planning Officer. Agreement reached that revised application referring to a Hut not a dwelling be resubmitted under previous fee. Physical alterations also modified as advised.

Title:	Ms	Other title:	
First Name:	Beverly	Last Name:	Smith
Correspondence Reference Number:	Telephone conversation &	Date (dd/mm/yyyy):	23/02/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area: 84.10

Please state the measurement type used: ☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Boatshed for storage and maintenance of boats, with occasional ad-hoc overnight stays.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 1

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☒ Yes ☐ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☐ Yes ☒ No

If Yes or No, please provide further details: * (Max 500 characters)

Occasional waste disposal from boat maintenance or occasional overnight stay will be removed upon departure as currently.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☒ Yes ☐ No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): * 29

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Proposal comprises the repurposing of a Boatshed into a Boatshed and 'Hut' as defined in the SPP - an ad hoc space to be used intermittently for recreational accomodation.

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mr Donald Canavan

On behalf of:

Date: 27/02/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☒ Yes ☐ No ☐ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.
☒ Elevations.
☒ Floor plans.
☒ Cross sections.
☒ Roof plan.
☒ Master Plan/Framework Plan.
☒ Landscape plan.
☐ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☒ N/A
A Design Statement or Design and Access Statement. *	☒ Yes	☐ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☒ N/A
Drainage/SUDS layout. *	☐ Yes	☒ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☐ Yes	☒ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

Other Statements (please specify). (Max 500 characters)

Supporting Planning Statement

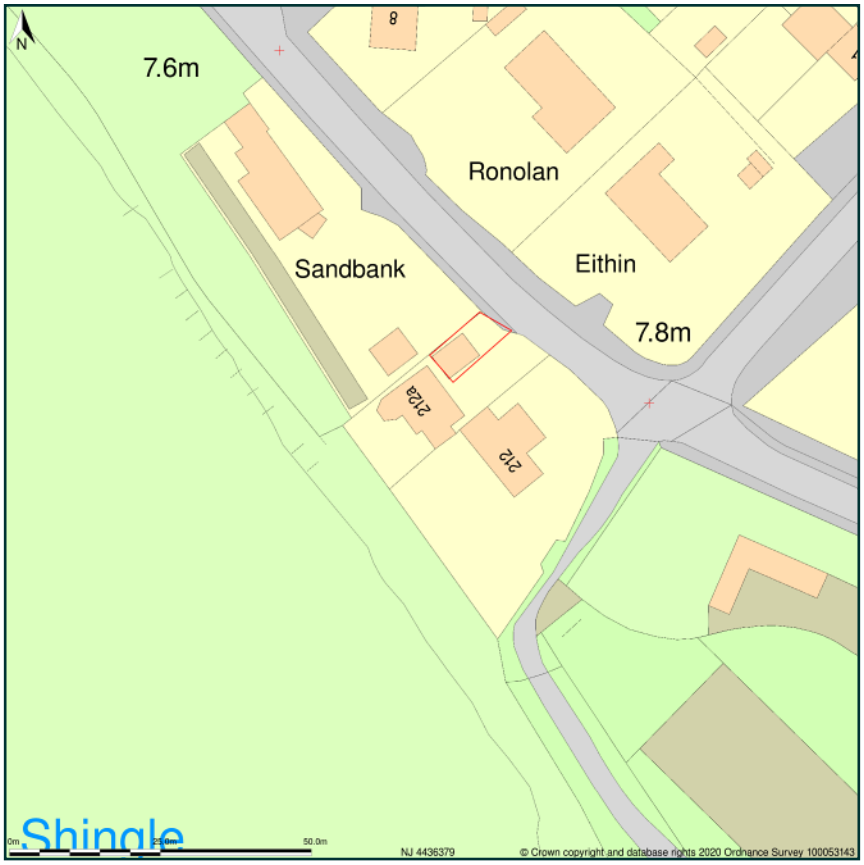
Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Donald Canavan

Declaration Date: 27/02/2021

Site adj to 212a, B9011 From Findhorn Road In Kinloss To Findhorn, Findhorn, Moray, IV36 3YY



Site Plan shows area bounded by: 304366.66, 863722.99 304508.08, 863864.41 (at a scale of 1:1250), OSGridRef: NJ 4436379. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 19th Oct 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00567927-03C620

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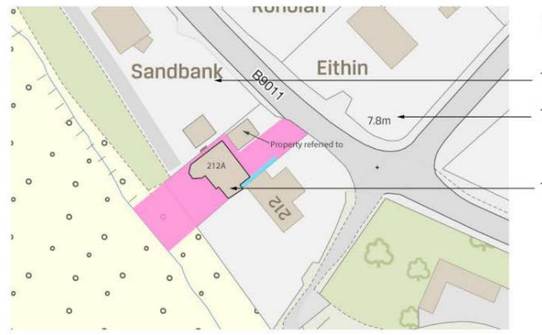
Specification of Finishes

Walls: 22mm thick x 125mm 'batten on board' Scottish Larch timber cladding
painted blue breathable coating.
Specific shade to be agreed with planning officer.
Windows European redwood tilt & turn by NorDan. Colour white
Roof Profiled metal sheeting: steel traditional sinusoidal profile
Colourcoat HPS200 Ultra. Colour Dark Grey,
Rainwater goods galvanised steel unfinished.
Exterior finishing joinery in Larch (sprockets in treated redwood), all painted white.
Doors Joiner built redwood sliding workshop door, painted blue as cladding

Design Intent

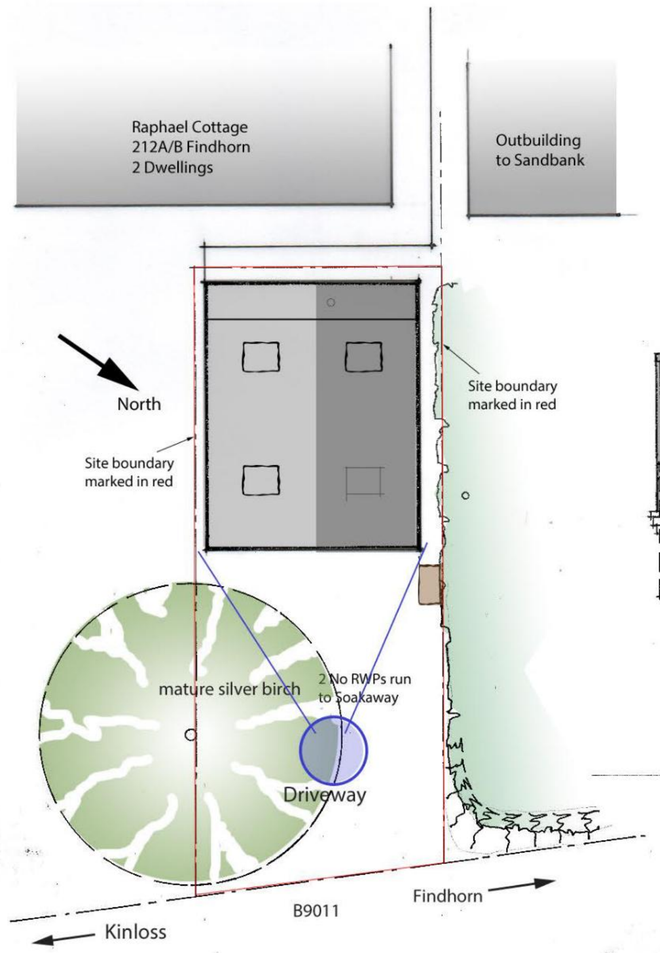
The buiding has been a timber workshop/ outbuilding since its original construction in 1959.
It was reconstructed around 1992 in the same shape and footprint.
The proposal retains the same footprint and retains the walls structure.
The eaves is raised by around 850mm and the roof pitch increased from 25 degrees to 32.5 degrees
This creates space for an upper storage deck
The building will be overclad externally with larch boarding and roof cladding on existing profile
The walls and new roof trusses are c;ad in plywood internally
Windows are replaced and a WC and wood burning stove are inserted
Existing clear roof sheeting is replaced by 4 velux rooflights



Location Plan (Building footprint is unchanged)

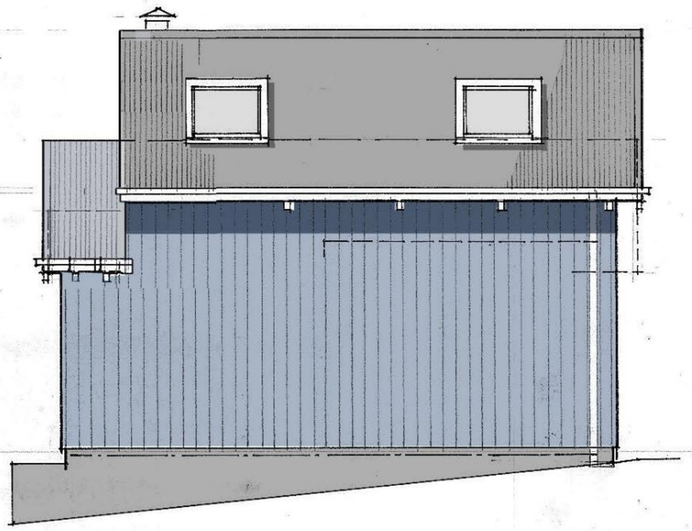
Neighbouring Proprietors

To North: 'Sandbank': Professor Sir James Dunbar Nasmith
To East: B9011 Main road from Kinloss to Findhorn, and 'Eithin': Capt. David Scott.
To West and South: 'Raphael Cottage 212A Findhorn': Mr Frank van Beuren

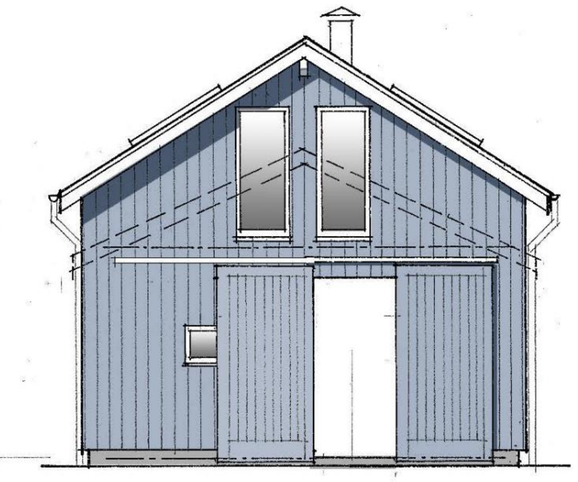


Site Plan 1:100

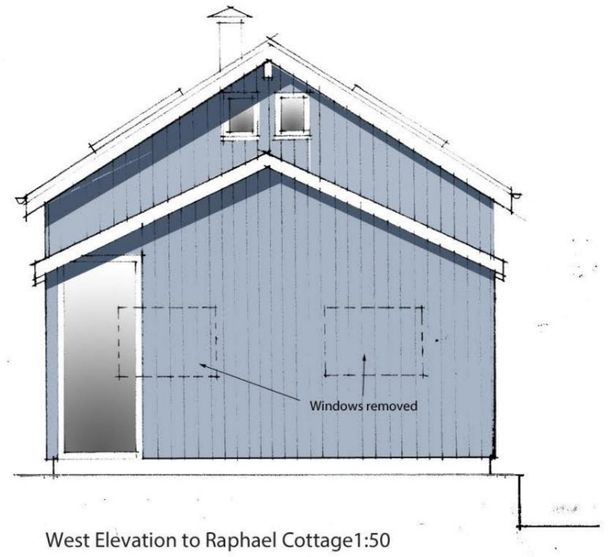
North Elevation 1:50



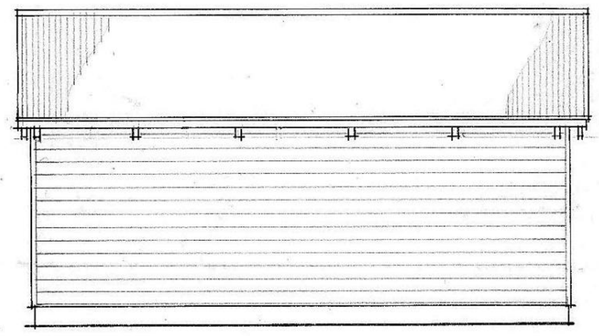
South Elevation 1:50



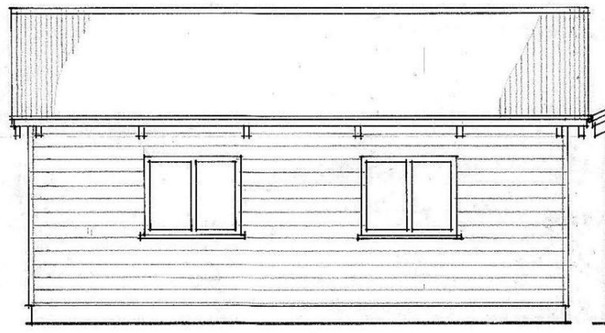
East Elevation to Road 1:50



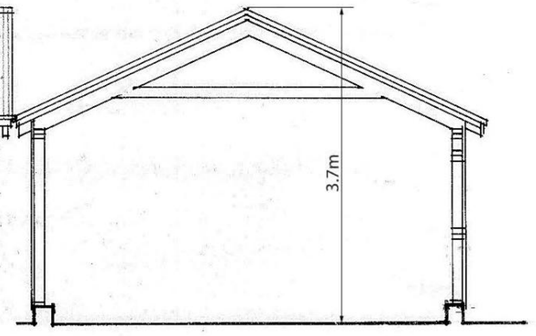
West Elevation to Raphael Cottage1:50



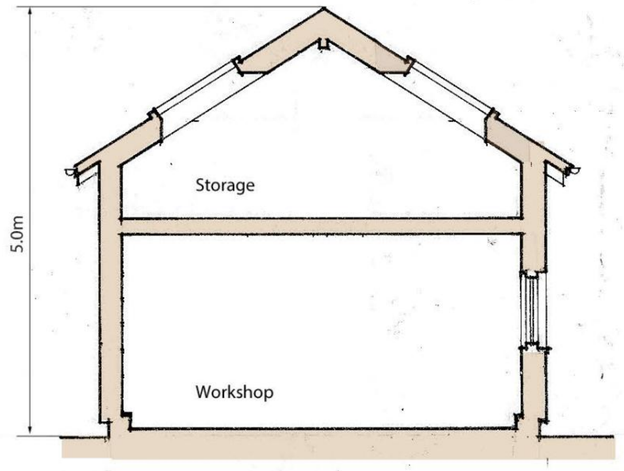
Extg South Elevation 1:50



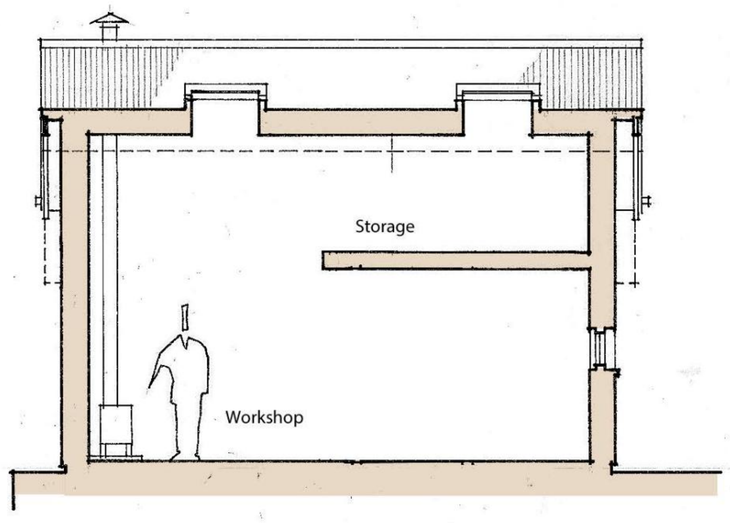
Extg North Elevation 1:50



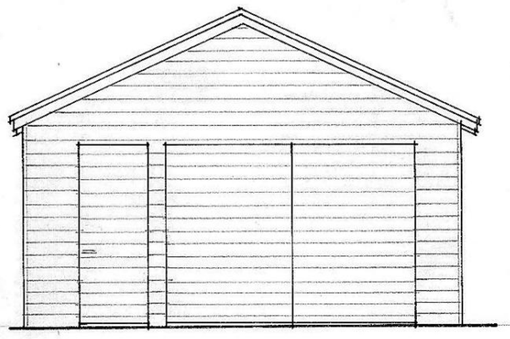
Extg Cross Section 1:50



Cross Section 1:50

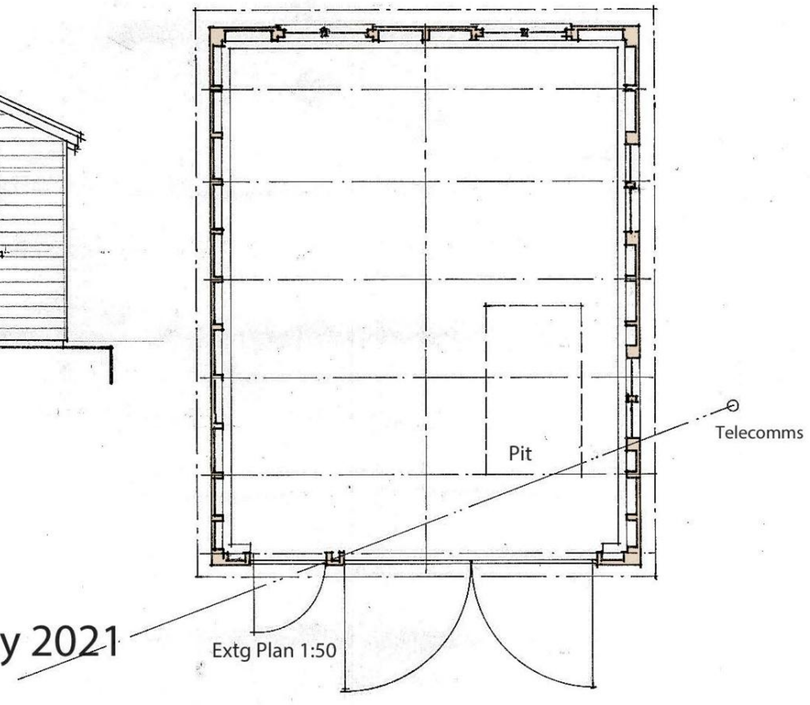


Long Section 1:50

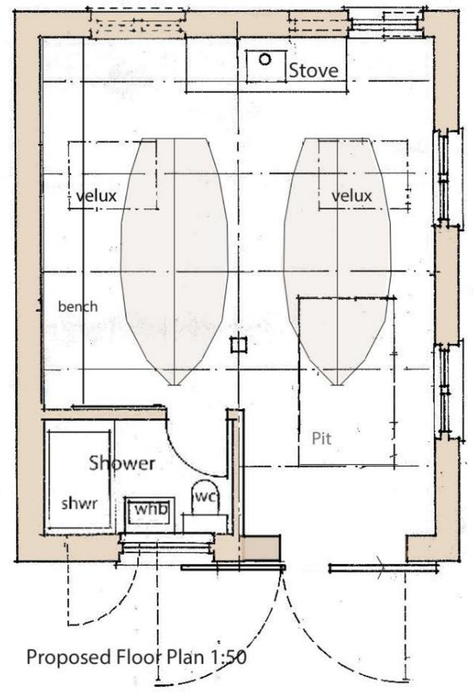


Extg East Elev to Road 1:50

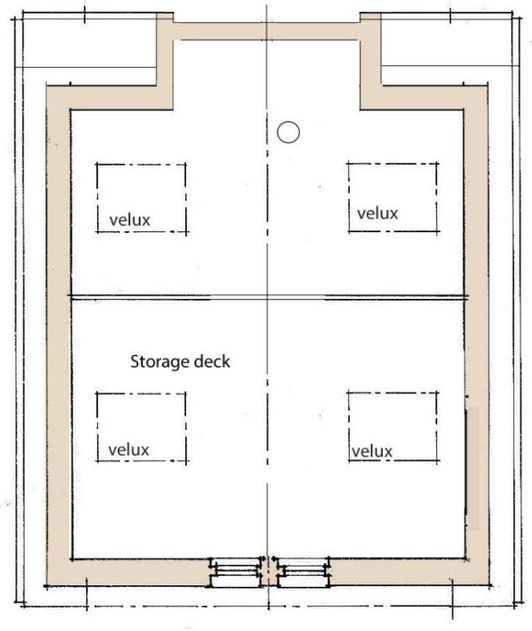
Extg West Elev to Broom Chalet 1:50



Extg Plan 1:50



Proposed Floor Plan 1:50



Storage deck 1:50

Re-roofing & recladding of Outbuilding
212c Findhorn, Forres Moray
Planning Application Drawing 01 Revision C May 2021

Mr Donald Canavan Scale 1:50@A1 September 2020

SUPPORTING PLANNING STATEMENT

APPLICATION FOR PLANNING PERMISSION

FOR

THE CHANGE OF USE OF BOATSHED TO A HUT
WITH ASSOCIATED EXTERNAL ALTERATIONS TO THE BUILDING

(A HUT BEING UNIT OF ACCOMMODATION TO BE OCCUPIED ON AN AD HOC BASIS)

AT 212C FINDHORN

MR D CANAVAN

SUZANNE MCINTOSH PLANNING LIMITED
14.1.21

1. LOCATION

The application site comprises the boatshed and its parking area at 212C Findhorn Road, on the B9011.

The plot on which the boat shed is sited measures 14.5m in depth and 5.8m in width – 84.1m2 in area. The boat shed that has occupied the site for many years measures 5m by 6m therefore 30 m2 in area. It is presently a single storey timber building with a rooflight and windows to the side and rear. The boatshed was once part of Broom Cottage 212 Findhorn Road.

Broom Cottage was restored by the applicant in 1990 and sold in 1998 when he moved from the area. He retained the boatshed for his own use and has used it for boat storage since that time. The boatshed is timber with a corrugated roof windows to the side and rear, a large opening door to the front and a clear panel for light from the roof. The use of the boatshed has co-existed happily while Broom Cottage is separately occupied as a residential cottage.

The applicant has visited the boatshed at least four times per year since 1998 and has on occasions stayed in the building overnight when he has visited.

2. PROPOSAL

The applicant proposes to retain the existing site boundaries, the existing building footprint and use the existing walls of the boatshed. The parking and access would also be retained as well as the existing trees around the site. The main alterations would be to the eaves and roof height. The eaves would be raised by 0.8m and the roof pitch increased from 25degrees at present to 32.5 degrees. This has an overall effect of raising the external roof ridge height from 3.75m to 5m. A storage mezzanine could therefore be created within the roof space.

The exterior walls would be reclad in vertically laid Scottish larch board and a painted finish used. The walls and roof are to be insulated with rockwool insulation and the interior lined with plywood for painting. A small traditional wood burning stove and pipe flue will be added. Windows will be replaced with redwood double glazed units.

The entrance will be sliding larch boarded doors, this will help maintain the maritime industrial character. It will generally sit open as a storm door when the applicant is visiting and an interior glazed door allow light to the north end.

The South West corner will have the existing window replaced by a taller, narrower window that will align with the view of the bay between the adjacent outbuilding and dwelling. The roof overhangs are sprocketed in the traditional style.

Power could potentially be supplied from the B9011 given the location, drainage and water supply for working could also be added from the road. The existing mature silver birch (Betula Pendula) will be retained.

The proposal is not a dwelling house and will not be occupied as such. The proposal is an ancillary form of modest accommodation that will be used by the applicant on trips to Findhorn. The size of the accommodation within the extended boatshed is not therefore of a size suitable to be occupied permanently, nor should it be considered under those such parameters. The footprint of the building can comfortably accommodate an open plan area on the ground floor and upper storage mezzanine platform where a bed could be accommodated. The proposal is therefore a re-purposing of an existing building to create a Hut.

The applicant could reasonably come to the Planning Authority and seek planning permission for the physical alterations proposed and not seek a change of use. The roof and windows could reasonably be replaced on the boatshed and a stove introduced and flue plus a central staircase and mezzanine platform for storage. The applicant has however clearly stated their future intention to be able to continue to use the boatshed for short stays when in the area but to have a better level of comfort than a camp bed on the boathouse floor.

The overall form and character are intended to be reminiscent of a rural Scottish fishing bothy or outbuilding of the 19th century or early 20th century.

3. BACKGROUND

An application for the alterations to the building and change of use to a dwelling (generated through the limitations of the online planning application process) was submitted last autumn but was withdrawn in December 2020. The proposal is now accompanied by a supporting planning statement that explains the issues and concerns raised by the Planning Officer.

The applicant has consulted with the three adjoining neighbours – two of whom support the proposal and the third who raises no objection.

4. PLANNING POLICY

We have examined the policies and proposals maps within the Moray Council Local Development Plan, adopted on 27th July 2020. We note that the proposal must examine the issues set out in policy DP1 Development Principles relating to design, transport, amenity etc. We also note that the proposals should be considered in the light of ancillary accommodation of the like described in DP8 Tourism and Accommodation.

With regard to DP1's requirements the applicant intends to work with the existing building and improve its appearance and the way it functions. The physical alterations proposal do not conflict with either the design, scale or mass of the existing building nor jar with the adjoining buildings.

With regard to visual impact the boatshed is only partially visible from the road. The existing trees and shrubs provide a dense planting screen. In particular the existing mature silver birch provides a dense screening impact of the building when viewed from the road. These will all be retained and the impact of the screening retained.

The use of the building for non-permanent, ad hoc accommodation for the applicant and not rented out will have no greater impact than its use at present, and does not conflict with the policy.

The proposal does not seek to adversely impact upon the neighbouring occupiers and can adequately provide a safe space to park off the road. The proposal is therefore in line with the requirements of policy DP1.

Policy DP8 deals specifically with the issue of conditions restricting the nature of the occupation of holiday accommodation and that these units should not become permanent residences. It also deals with the issue of hutting. This proposal is typical of a hutting proposal - an existing building being utilised, supported by neighbours as it is for the applicant's occasional use as indeed it is used at present, retention of existing trees, compliance with other policies – the site is not in any of the more restrictive areas of Findhorn eg the conservation area or low density area. The proposal will be a coastal hut and as such is in line with the requirements of DP8.

The Scottish Government's document: Scottish Planning Policy (SPP) is also a material consideration in the determination of this application. The SPP sets out the definition of a Hut as follows: A simple building used intermittently for recreational accommodation, ie not a principal residence; having a floor area be no greater than 30m^2, constructed from low impact materials, generally not connected to mains water and power etc and built in such a way as it is removable with little or no trace at the end of its life. The proposal falls within this definition and is therefore in line with the requirements of the SPP.

5. CONDITIONS

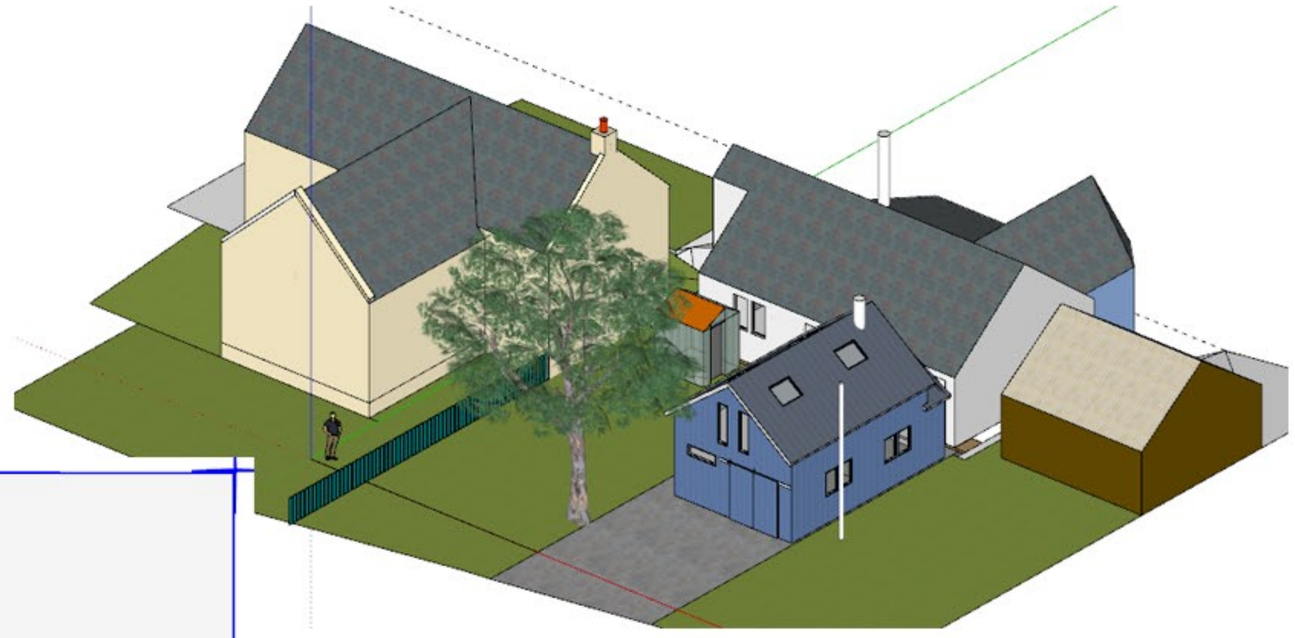
The Planning Authority could reasonably seek to restrict the occupation of the unit through the use of conditions. This would be a normal course of action in such a proposal.

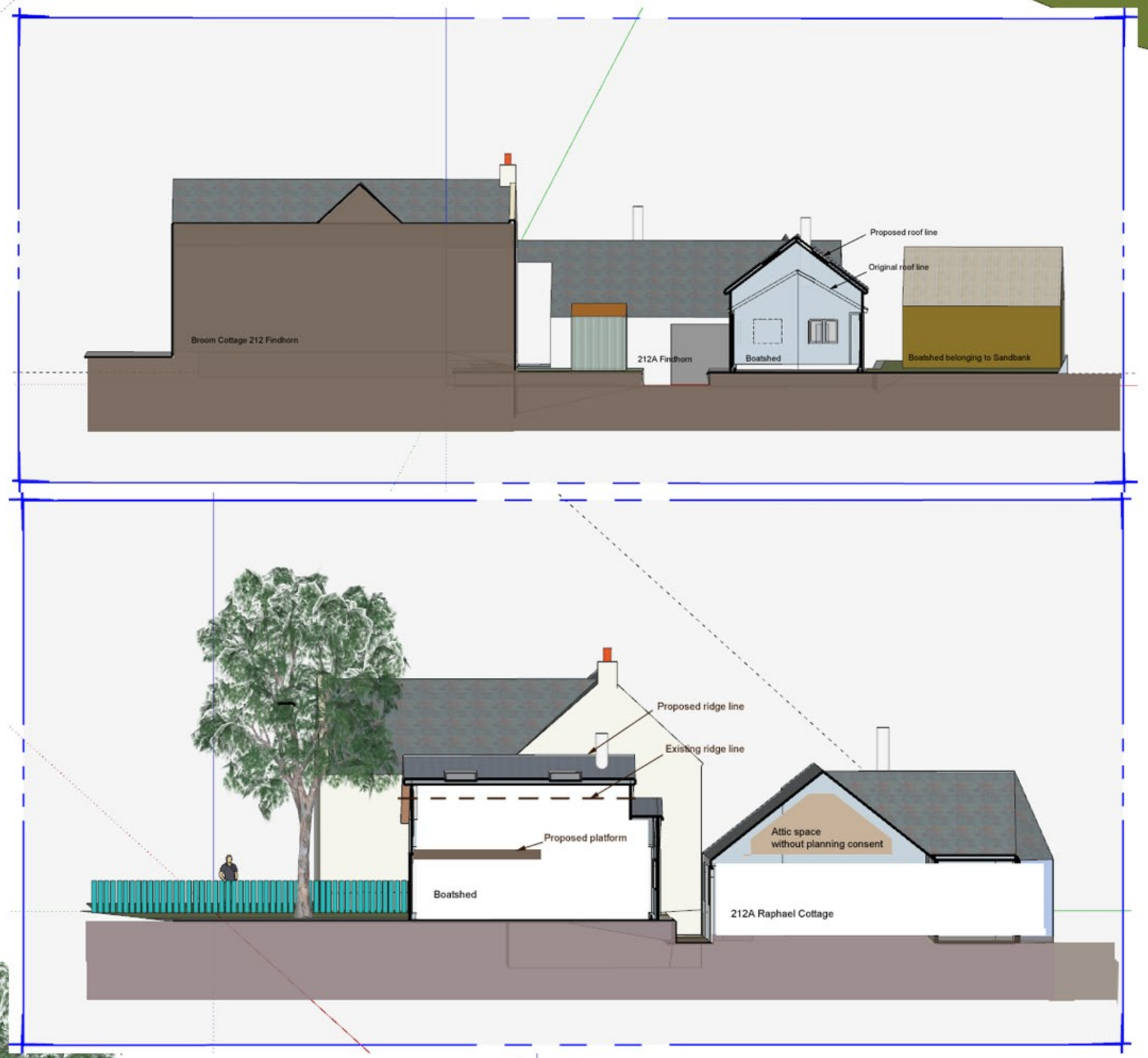
Developer contributions or planning obligations are not envisaged in such a proposal given that it will not be permanently occupied and therefore not generate need for essential local services or infrastructure.

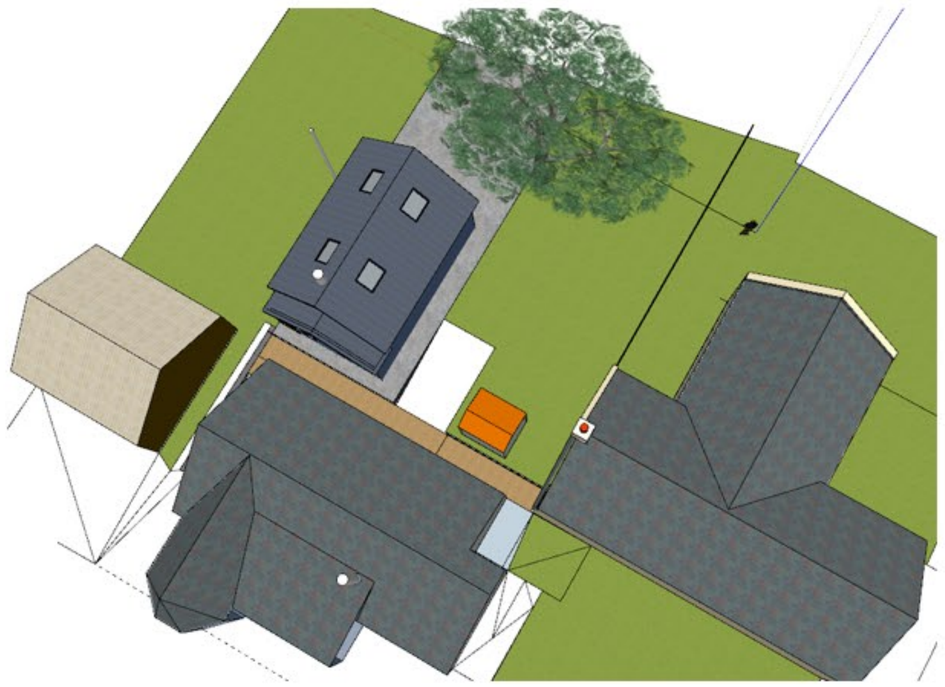
6. CONCLUSION

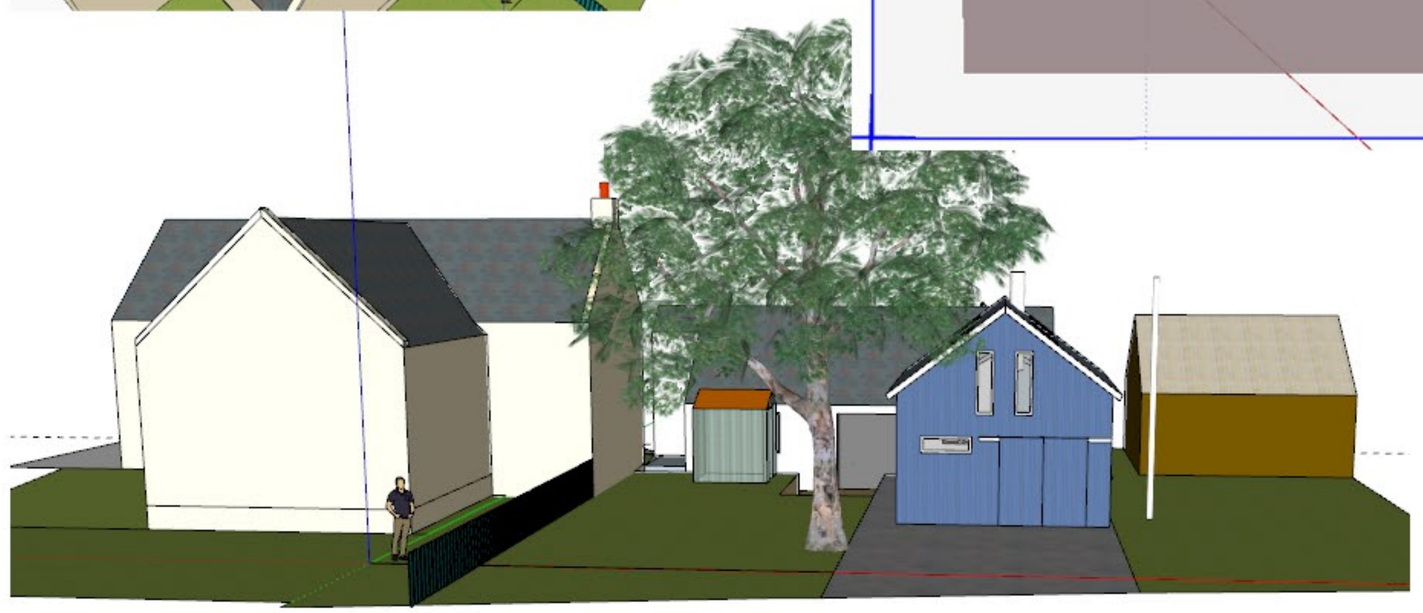
The proposal should be supported given it complies with the Moray Local Development Plan policies, results in overall improvements to the appearance and maintenance of the building, better proportions in the elevations, an enhancement of the setting rather than detracting from it; it respects the privacy and amenity of neighbours and would be a benefit to the locality. The applicant and/or myself will be happy to discuss further with the Planning Officer.

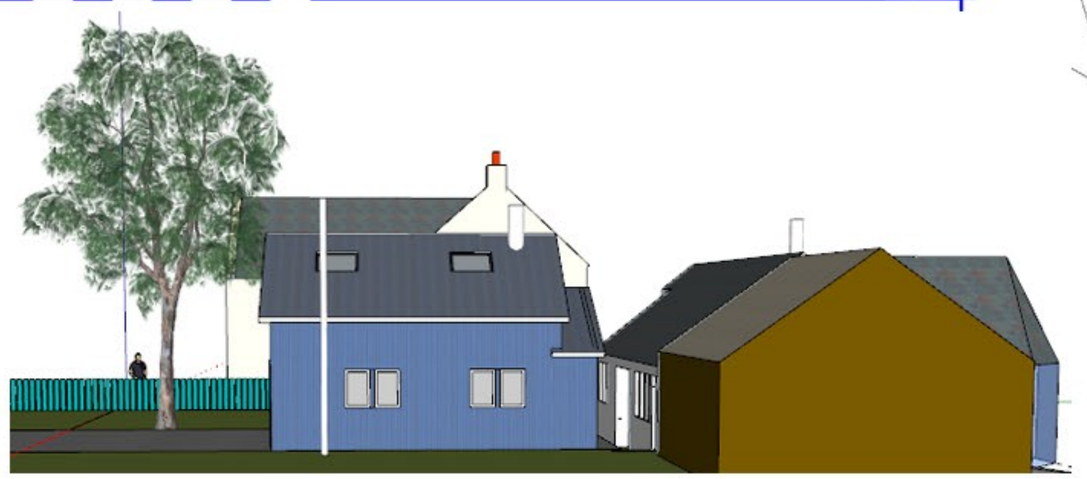
Suzanne C McIntosh MRTPI HonFRIAS











Alterations to Boatshed, 212 Findhorn
Mr D Canavan RIBA ARIAS MCIArb
Site Sections and Perspective views

View of space between buildings - Note that the house 212A was built out in 1986 to sit close to the pre-existing Boatshed. Planting was inserted by owner of house 212A.

View from Road currently. Dashed white lines indicate roof profile proposed. Change in massing is minimal and proportions of boatshed building are in keeping with traditional domestic scale buildings. Note the degree to which boatshed and curtilage are dominated and obscured by neighbour's birch tree.

View from Road showing current assembly of buildings. Note that light to ground floor “bedroom” is obscured by owner’s own garden shed, not by boatshed (relevant window and garden shed arrowed). If the rooflight is referred to as a ‘bedroom window’ this is puzzling because the 1986 Planning approval for the reroofing of the building was for a single storey dwelling. It did not include roof accommodation, and I have not been notified of a planning application to extend the accommodation into the roof.

Note also extent of tree canopy across site and corresponding light reduction.

Development Comparison One: Property conversion in Findhorn Village – 177 FINDHORN

Property Converted from a Single Garage into a stone dwelling for Mr Roy Mathieson in 1984. Less than a mile from 212 Findhorn. Property has no 'amenity space'. It has no drive, only a public lane and is built to the boundary line. It received Planning Approval from Moray Council in 1984 and represents a very successful conversion from a garage to a dwelling within the village.

Space against west gable at 177 Findhorn is considerably smaller than the drive space at the Boat shed. The close proximity of the lane shows that this approved proposal had considerably less amenity space than the Boat shed at 212 Findhorn.

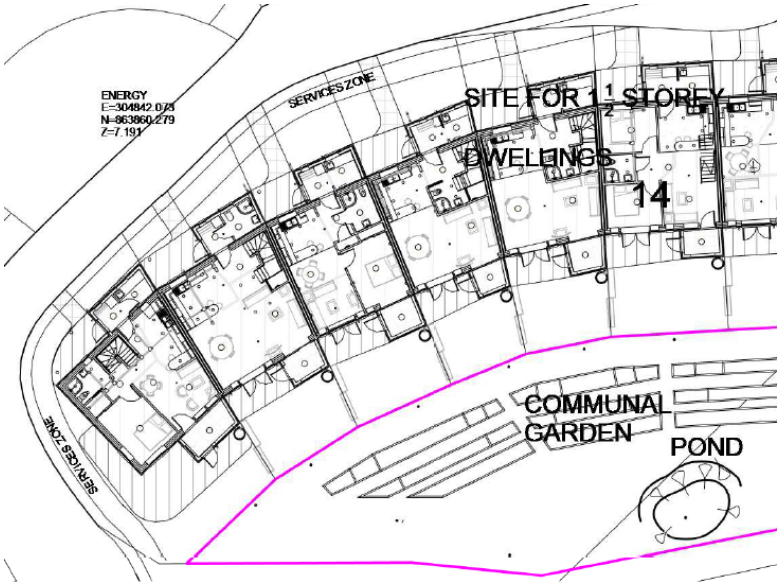
Development Comparison 2: North Whins, Findhorn

Less than a mile from the Boatshed at 212 Findhorn is the second phase of small terraced 1 ½ storey dwellings being developed by Greenleaf design and build on sand dunes adjacent to the Park at Findhorn Foundation. These have recently (2019) received Planning Approval from Moray Council.

The dwellings have a ground floor area of around 48 to 50m2, and a reduced first floor area. As the location plan shows they have minimal individual amenity space, instead similarly to the above development, they are sited within communal space.

It is important to reinforce here that the boatshed is not a permanent dwelling, and that its site area is 84m2.

It is therefore apparent that the Boatshed site and plot area are capable of carrying a dwelling and the necessary amenity space, when in immediate juxtaposition with public and community access space.



Location Plan - 14.8
1 : 500

14.8. - South Elevation
1 : 50

'North Whins' small 1 ½ storey dwellings terrace in Findhorn, with ground floor areas from 48m2, recently approved by Moray Council.

Consultee Comments for Planning Application 21/00272/APP

Application Summary

Application Number: 21/00272/APP
Address: Site Adjacent To 212A Findhorn Moray
Proposal: Change of use and alterations to boatshed to provide a hut for occasional overnight stays at
Case Officer: Lisa Macdonald

Consultee Details

Name: Mr CL Consultations
Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX
Email: Not Available
On Behalf Of: Contaminated Land

Comments

Approved unconditionally

From: DeveloperObligations
Sent:09 Mar 2021 08:48:49
To:lisa.macdonald@moray.gov.uk,
Subject:21/00272/APP Change of use and alterations to boatshed to provide a hut for occasional overnight stays at Site Adjacent To 212A, Findhorn
Attachments:

Hi,
Developer obligations are not being sought for the above planning application as given the nature and scale of the proposed development; it will not have a detrimental impact on local infrastructure that requires mitigation through developer obligations.
Thanks
Rebecca

Rebecca Morrison | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development
Rebecca.morrison@moray.gov.uk | website | facebook | moray council planning facebook | twitter | newsdesk

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	16th March 2021
Planning Authority Reference	21/00272/APP
Nature of Proposal (Description)	Change of use and alterations to boatshed to provide a hut for occasional overnight stays at
Site	Site Adjacent To 212A Findhorn Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133073393
Proposal Location Easting	304441
Proposal Location Northing	863806
Area of application site (M^2)	84
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=QPA3IYBGL5900
Previous Application	20/01393/APP
Date of Consultation	2nd March 2021
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Donald Canavan
Applicant Organisation Name	
Applicant Address	9 Ormelie Terrace Joppa Edinburgh Lothian EH15 2EX
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479
Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling

pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.
For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 21/00272/APP
Change of use and alterations to boatshed to provide a hut for occasional overnight stays at Site Adjacent To 212A Findhorn Moray for Mr Donald Canavan

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	×
(d)	Further information is required in order to consider the application as set out below	❑

Reason(s) for objection

Condition(s)

Informative note

The operation of the wood burning stove shall not give rise to a statutory nuisance in terms of the Environmental Protection Act 1990.

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Lisa Campbell **Date……8/3/21……..**
email address: **Phone No ……..**
Consultee:

Return response to	consultation.planning@moray.gov.uk

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://publicaccess.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Wednesday, 03 March 2021

Local Planner
Development Services
Moray Council
Elgin
IV30 1BX

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Site Adjacent To 212A, Findhorn, IV36 3YY
PLANNING REF: 21/00272/APP
OUR REF: DSCAS-0034239-49B
PROPOSAL: Change of use and alterations to boatshed to provide a hut for occasional overnight stays

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- There is currently sufficient capacity in the Glenlatterach Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- There is currently sufficient capacity for a foul only connection in the Forres Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

To find out more about connecting your property to the water and waste water supply visit:

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Please Note

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the

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developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

To find out more about connecting your property to the water and waste water supply visit:

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- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Planning Application Team
Development Operations Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

“It is important to note that the information on any such plan provided on Scottish Water’s infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

To find out more about connecting your property to the water and waste water supply visit:
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Scottish Water

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	16th March 2021
Planning Authority Reference	21/00272/APP
Nature of Proposal (Description)	Change of use and alterations to boatshed to provide a hut for occasional overnight stays at
Site	Site Adjacent To 212A Findhorn Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133073393
Proposal Location Easting	304441
Proposal Location Northing	863806
Area of application site (M^2)	84
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=QPA3IYBGL5900
Previous Application	20/01393/APP
Date of Consultation	2nd March 2021
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Donald Canavan
Applicant Organisation Name	
Applicant Address	9 Ormelie Terrace Joppa Edinburgh Lothian EH15 2EX
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563479
Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:
If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling

pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.
For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 21/00272/APP
Change of use and alterations to boatshed to provide a hut for occasional overnight stays at Site Adjacent To 212A Findhorn Moray for Mr Donald Canavan

I have the following comments to make on the application:-

		Please
(a)	I OBJECT to the application for the reason(s) as stated below	❑
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	❑
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	x
(d)	Further information is required in order to consider the application as set out below	❑

The planning officer has confirmed that restrictions relating to the occupation of the unit would apply to any subsequent consent. Although there is space for parking of one vehicle to the front of the building the driveway is currently unsurfaced (loose gravel/grass). The following conditions would apply:

Condition(s)

1. Notwithstanding the submitted details prior to the first occupation, a minimum of the first 1.0m of the access track, measured from the edge of the public carriageway, shall be constructed to the Moray Council specification and surfaced with bituminous macadam. The width of the vehicular access shall be minimum 4.0m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access

2. One car parking space shall be provided within the site prior to the first occupation. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for visitors/others in the interests of an acceptable development and road safety.

3. No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height (measured from the level of the road) and fronting onto the public road shall be within 2.4m of the edge of the public carriageway.

Reason: To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

4. No water shall be permitted to drain or loose material be carried onto the public carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the access.

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

The applicant shall be responsible for ensuring that surface/ground water does not run from the public road into their property.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Contact: AG **Date 23 March 2021**
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Return response to	**consultation.planning@moray.gov.uk**

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at http://publicaccess.moray.gov.uk/eplanning/ (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

MORAY COUNCIL
PLANNING CONSULTATION RESPONSE
From: The Moray Council, Flood Risk Management
Planning Application Ref. No: 21/00272/APP

I have the following comments to make on the application:-

		Please x
(a)	I OBJECT to the application for the reason(s) as stated below	☐
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	☒
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below	☐
(d)	Further information is required in order to consider the application as set out below	☐

Reason(s) for objection

Conditions(s)

Further comments(s) to be passed to applicant

Further information required to consider the application

Contact: Will Burnish Date 5/3/21
email address: Will.burnish@moray.gov.uk Phone No
Consultee: The Moray Council, Flood Risk Management

Comments for Planning Application 21/00272/APP

Application Summary

Application Number: 21/00272/APP
Address: Site Adjacent To 212A Findhorn Moray
Proposal: Change of use and alterations to boatshed to provide a hut for occasional overnight stays at
Case Officer: Lisa Macdonald

Customer Details

Name: [redacted]

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
- Litter
- Reduction of natural light
- View affected

Comment:The view from my bedroom is already partially blocked by the apex of the existing building, so if that is increased by 1.3m my view will be substantially affected, blocking even more of my natural light.

There is a problem with litter already - holiday makers who visit Findhorn often empty their waste and recycling in our bins (212A and 212B), to the point where in Summer especially after a weekend our bins are completely filled up by visitors! This application says no provision will be made for waste - so where will it get put?

No definition of "occasional overnight stays" is given - is this every weekend, once a month, every school holiday, all summer? These have implications for drainage - we already have times when sewage smell is apparent, suggesting the system is overloaded at times, presumably in busier times like holiday periods.

Comments for Planning Application 21/00272/APP

Application Summary
Application Number: 21/00272/APP
Address: Site Adjacent To 212A Findhorn Moray
Proposal: Change of use and alterations to boatshed to provide a hut for occasional overnight stays at
Case Officer: Lisa Macdonald

Customer Details
Name: [redacted]
Address: [redacted]

Comment Details
Commenter Type: Neighbour
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
- Precedent

Comment:Neighbour Notification, Planning Application 21/00272/APP

I took a neutral stance on Mr Canavan's initial application for this site (20/01393/APP), subsequently withdrawn.

And, as a neighbour, remain neutral on this new application, neither supporting nor objecting to it. His proposal, as it's described, to repurpose the boatshed as a hut for occasional overnight stays, would seem not to impact unduly on my property and the way it works/how I live in it.

However, I feel obliged to make some comments as a Findhorn resident and Moray loon.

My professional background (economist, specialising in leisure & tourism, including its role in rural sustainable development) means that I am broadly aware of the new hutting movement in Scotland; and, while I understand the appeal, it brings with it some potential downsides.

Hence my opinion that this is not a simple, straightforward application, but an issue that is relatively new and untested in planning terms, and so deserving of particular care and attention by Moray council. The decision could have important implications for both village and wider area in years to come.

Further complexity arises from the application being, I guess, untypical, also arguably not entirely in line with hutting culture. Mr Canavan already owns both land and building; and although the (car?) journey from home to hut is lengthy, it's understandable.

I'm sure planners are on top of all the issues, but from my own brief research around the topic:
- It's recognised that suitable locations for hut development require careful selection, and that some areas may not be suitable.
- The widely accepted definition of a hut includes "generally not connected to mains water, electricity or sewerage". (2014SPP).
I don't understand why this has been truncated to "mains water, power, etc. " in the Supporting Planning Statement. (4. Planning Policy, final paragraph)
- The sense I get is that a hut is intentionally set apart from holiday accommodation.
"This is part of what distinguishes huts from bothies, fishing huts and similar structures with a purpose primarily to do with sleeping and eating accommodation to help support specific activities." (RS:Nhd-gpg, Planning Considerations, page 15, 7, Use patterns of huts, extract)

Sources:
2014 Scottish Planning Policy; Reforesting Scotland: New hutting developments - good practice guidance; MC Local Development Plan 2020, DP8; Stirling Council, Supplementary Guidance, May 2019, Chalets & Huts

Incidentally, neither Mr Canavan nor Ms McIntosh has discussed with me this, or the previous, application. I'd be pleased to have an informal chat with either, or indeed a planner, if considered useful and appropriate, because I do find myself somewhat conflicted.

[redacted], 07 March 2021

Comments for Planning Application 21/00272/APP

Application Summary

Application Number: 21/00272/APP
Address: Site Adjacent To 212A Findhorn Moray
Proposal: Change of use and alterations to boatshed to provide a hut for occasional overnight stays at
Case Officer: Lisa Macdonald

Customer Details

Name: [redacted]
Address: [redacted]

Comment Details

Commenter Type: Community Council
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
- Community Council/Association Consult
- Legal issues
- Permitted Development
- Procedures not followed correctly

Comment:I apologise for this late comment but, as you are probably aware, our Community Council meets monthly on the last Thursday evening of the month.
The Community Council discussed this application and came to the conclusion that it falls between 2 stools. In our opinion it does not appear to be covered within the Scottish Government Hut Policy with the installation of electric power, water and drainage and does not meet planning regulations for a dwelling as far as disabled access to the sleeping platform is concerned.
We have used the extract below as a reference to our understanding of what a hut is.
However, we do not consider ourselves to be sufficiently au fait with the guidance pertaining to this application, we would therefore ask that these factors be considered and if the application does comply with planning and building regulations the Community Council would not object. Please note that we also found it difficukt to ascertain the size of the building as, although the drawings are scaled at 1:50, there is no way to actaully measure this on a digital drawing.

Extract from FOI/19/01020 dated 7 May 2019
The definition of a recreational hut in Scotland
Scottish Planning Policy (SPP) which is Scottish Government policy on how nationally important land use planning matters should be addressed across the country, sets outs a definition of a 'hut' in its glossary as follows;
Hut - A simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m2; constructed from low impact

materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life

REPORT OF HANDLING

Ref No:	21/00272/APP	**Officer:**	Lisa Macdonald
Proposal Description/ Address	Change of use and alterations to boatshed to provide a hut for occasional overnight stays at Site Adjacent To 212A Findhorn Moray		
Date:	13.05.2021	**Typist Initials:**	LMC

RECOMMENDATION		
Approve, without or with condition(s) listed below		**N**
Refuse, subject to reason(s) listed below		**Y**
Legal Agreement required e.g. S,75		**N**
Notification to Scottish Ministers/Historic Scotland		**N**
Hearing requirements	**Departure**	**N**
	Pre-determination	**N**

CONSULTATIONS

Consultee	**Date Returned**	**Summary of Response**
Environmental Health Manager	08/03/21	No objection. It is noted that the operation of the wood burning stove must not give rise to a statutory nuisance.
Contaminated Land	09/03/21	No objection.
Transportation Manager	23/03/21	No objection subject to conditions to secure the retention of the parking space and hard surfacing of the access and to control future boundary treatments.
Scottish Water	03/03/21	No objection.
Planning And Development Obligations	09/03/21	No contributions sought as the building is not a permanent residence.
Moray Flood Risk Management	05/03/21	No objection.
Kinloss and Findhorn Community Council	29/03/21	Neither object nor support the proposal. Note that the proposal does not appear to meet the definition of a hut in Scottish Planning Policy. The upper floor sleeping accommodation would not allow for disabled access.
PO response		The proposal does not meet the definition of a hut set out in the Moray LDP or Scottish Planning Policy. The development would require Building Warrant.

DEVELOPMENT PLAN POLICY		
Policies	**Dep**	**Any Comments (or refer to Observations below)**
PP1 Placemaking		
PP2 Sustainable Economic Growth		
PP3 Infrastructure and Services		
DP1 Development Principles	Y	**See below**
EP2 Biodiversity		
EP12 Management and Enhancement Water		
EP3 Special Landscape Areas		
EP14 Pollution Contamination Hazards		
DP8 Tourism Facilities and Accommodation	Y	**See below**
EP1 Natural Heritage Designation		

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: THREE		
Names/Addresses of parties submitting representations Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
Issue: The proposal is not entirely in line with hutting culture or the definition of hutting contained in local or national policy. **Comments (PO):** This is acknowledged. The applicant has now clarified that the intention is to use the development is for part time of occasional residential use.		
Issue: Increasing the height of the building will result in a loss of light. **Comments (PO):** The concerns are noted. In response the applicant altered the roof arrangement so that the higher roof is stepped back. This will reduce the impact in terms of loss of light of raising the ridge height on the neighbouring property.		
Issue: Litter and provision of bins. **Comments (PO):** It is the responsibility of the developer to ensure that litter and waste from the site is effectively managed. The site is next to the road which would allow bin collection.		
Issue: Occasional overnight stays is not defined. **Comments (PO):** This is acknowledged and forms part of the reasons for refusal.		
Issue: The ability of the sewage system to accommodate additional development. **Comments (PO):** Scottish Water have been consulted and have no objection.		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below.

The Proposal
This application seeks planning permission to alter an existing boat shed by raising part of the roof by 1.3m, introducing new doors and openings, velux roof lights and a flue for a stove. A mezzanine floor is proposed to provide a storage area. The building will be over-clad in timber which the applicant has indicated will be painted blue and a new profiled metal sheeting roof will be provided. New windows and doors will be installed. The building will be used as a boat shed and as a 'hut' for 'part time occasional residential use' which is in effect a holiday home.

The Site
The site is an existing boat shed. It is timber clad with a metal roof. The building sits immediately to the east of an existing semi-detached house. The shed was at one time associated with the neighbouring house but does not now form part of the curtilage of either neighbouring house and is in separate ownership. The shed is 1.7m from the house at its closest point and sits at a higher level.

The public road is to the east of the site and there is direct access to the site. There are mature trees along the roadside which partially screen the shed from view.

The site is within the Culbin to Burghead Coast Special Landscape Area (SLA) as identified in the MLDP 2020.

There are overhead lines running across the site. Restrictions relating to working in proximity of overhead lines are a matter for the developer. The applicant has been made aware of this constraint.

Siting and Principle of Use (DP1 & DP8)
The existing building is a boat shed. The applicant has indicated that from time to time people do sleep in it on an ad hoc basis but the building has no facilities for this. The current proposal seeks to enhance the facilities and regularise the use so that the shed can be used both for storing boats and for non-permanent residential use on an occasional basis. A shower room and stove are proposed. The applicant has suggested that the development could be viewed as a 'hutting' development. It is noted that both the community council and a contributor have expressed the view that the proposed does not meet the definition of a hut as a set out in local and national policy. Both Scottish Planning Policy (SPP) and MLDP policy DP8 are supportive of hutting proposals provided that they are low impact and meet the other requirements of the policy. SPP defines a hut as 'a simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m2; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life'. This building is within an established settlement and will be connected to public utilities. Furthermore, while there is no intention to use it as a permanent residence, the facilities provided would allow for it to be used on a regular basis throughout the year. It is therefore clear that the proposal does not reflect the letter or the spirit of the hutting policy contained in the SPP or MLDP policy DP8. The applicant has subsequently acknowledged that the development does not meet the definition of a hut set out in policy but it is recognised that the intention is to regularise the residential use of the boat shed. It is therefore considered against policy DP8 in the same way as any other proposal for holiday accommodation. The policy requires the development to meet all relevant policies of the local plan including DP1 and EP3 and highlights that conditions will be used to prevent permanent occupation of the units approved under this policy. Policy DP1(i)(a) requires developments to be of a scale, density and character that is appropriate to the surrounding area.

Policy EP3 (Special Landscape Areas) requires development to comply with all other policies including DP1 and to reflect the traditional settlement character in terms of siting and design. In this case the application site is 84m2 and the building is 1.7m from the neighbouring house which is in separate ownership. There is no form of separation between the shed and the neighbouring houses and the layout of the buildings means that a standard boundary treatment is unlikely to be feasible in this location. There is one parking space but no other amenity space. This site is an area of Findhorn where the settlement pattern is characterised by large plots. While it is recognised that the boat shed already forms a separate planning unit it is not in residential use and limited scale of the site is out of keeping with the density of development in the immediate vicinity. The proximity to the neighbouring house means that a change of use would result in increased noise and general disturbance for the adjoining occupiers. Conditions could be attached to restrict the use but this would prevent permanent residential occupation only. The model condition used by the Council for this type of development would prohibit permanent residential occupation and would prevent the shed from being occupied by any one person, family or group for more than 3 months in any calendar year. A condition of this nature would not prevent the building being used by different people or groups on a continuous basis throughout the year with the associated impacts on neighbours. The size of the site, the proximity of and relationship to the neighbouring houses are such that the shed is not considered suitable for holiday occupation despite the fact that this would be on an occasional basis and would not include the shed being used as a permanent residence. The density and character of development proposed here would adversely impact on the amenity of neighbouring properties and is not appropriate to the surrounding area or the traditional character of the SLA. The proposal is therefore contrary to policies DP1 (i) (a), DP8 and EP3.

In supporting information the applicant has identified two other developments in Findhorn that in his view establish a precedent for this type of development. It should be noted that every application is considered on its own merits. The first example cited is a converted garage at 177 Findhorn. This is in the heart of Findhorn where high density development and smaller plot sizes area feature of the well-established pattern of development. Furthermore this building has a much more effective relationship with surrounding buildings. The second example is an approved but as yet unbuilt terrace at the North Whins development within the park at Findhorn which was approved (20/01222/AMC) at committee in 2019 and is currently awaiting the conclusion of a s.75 modification. The applicant notes that these are relatively small units and have limited private amenity space. Again, this is a quite different context from the application site and have been designed to facilitate a specific communal living lifestyle. The application for these units included a large shared garden area as part of the scheme. The units were designed to sit together and do not undermine the amenity of each other. These examples are both materially different from the current application and do not alter the assessment of the proposal.

Design, Materials, Privacy and Overlooking (DP1 & EP3)

The building has a simple rectangular foot print which would be retained. It is timber clad at present but the proposal is to over-clad it in larch. The drawings indicate that this would be painted blue but this is a matter could be controlled by condition. These works are in keeping with the character and style of the building and are acceptable. A new roof would be formed over the existing building and finished in profiled metal sheeting to match the existing. The development includes raising the ridge height by 1.3m to 5m over all and higher than the ridge of the neighbouring house. The eaves would also be raised and the roof pitched made steeper. In response to concerns regarding the impact of increasing the height of the shed on the neighbouring property the plans were altered to show the existing ridge height retained across the part of the shed closest to the house. The proposal is assessed on the basis of the amended proposal. Policy DP1 requires development to be of a scale and character that is appropriate to the surrounding area while EP3 requires development within urban parts of the SLA to reflect traditional character in terms of siting and design. The steeper roof pitch gives the building a more traditional appearance than the current shallow pitch. The creation of stepped down roof is unusual for a simple storage building such as this which are typically characterised by a simplicity of form. However, it is accepted that the alteration reduces the impact on the neighbouring house in terms of light and overshadowing to an acceptable level. The shed is

largely screened by trees which will soften the impact of the development when viewed from the road. The works to the roof can be incorporated into the building and absorbed into the landscape without any undue impact on the surrounding area. In terms of design the scheme is considered to accord with policies DP1 (i) (a) and EP3.

The proposal also includes new windows and doors and a number of new openings. Four new roof lights are proposed divided evenly between the two roof slopes. These replace clear panels on the existing roof and given the high level nature of these will not give rise to overlooking. On the eastern (roadside) elevation a new larger sliding door is proposed along with a new bathroom window on the ground floor and two full length windows on the upper floor which will serve the storage area. These openings will look onto the parking space and the public road and as such will not give rise to any loss of privacy or overlooking. On the western elevation which is 1.7m from the neighbouring house the amended drawings shows two existing windows are to be removed and a new full height opening is proposed in the north eastern corner on the ground floor and two small upper floor windows are proposed. It is noted that the proposed mezzanine does not extend to the western wall of the shed therefore there would no scope for overlooking from the two small upper floor windows. Unless the floor area of the building was controlled by condition the future extension of the mezzanine would not typically be considered development therefore in future the upper floor could be extended without permission thus creating significant overlooking of the neighbouring property. It is recognised that the removal of the two existing windows on the western elevation represents an improvement in terms of privacy and overlooking for the neighbours however, at present the building is used as a boat shed and as such the amenity impacts are much lower than would be associated with residential use albeit on a non-permanent and occasional basis. The proposed new opening on the northern corner of this elevation extends to eaves height and has the form of a door but a fixed pane of glass is proposed. The applicant notes that the positioning of this opening is slightly off-set from the neighbouring house and avoids any direct conflict with openings on the neighbouring property. This is true to a certain extent but given the proximity of the two buildings (1.7m) and the fact that the shed is elevated above the height of the house for the development will give rise to significant loss of privacy and overlooking and as such the proposal is contrary to policy DP1 (i) (e) which requires that proposals must not adversely impact on neighbouring properties in terms of privacy or overbearing loss of amenity. It should be noted that this assessment is based on the potential use of the building for non-permanent residential uses.

Access and Parking (DP1)
The site has direct access from the road and there is space in front of the building for parking for one car. No changes to these arrangements are proposed as part of this application. The Transportation Manager has no objection on the basis that the occupancy of the building is restricted by condition so that it would not be used as a permanent residency. They also recommend conditions requiring the access to be finished to a hard surface, requiring the parking space to be retained and preventing any boundary treatments over 1m in height within 2.4m of the road. Subject to the recommended conditions the access and parking arrangements would comply with policy DP1 (ii)(a & e).

Water Supply and Drainage (DP1, EP12 & EP13)
The development will be connected to the public water supply and sewer. No changes are proposed to the building that would require any change to the surface water drainage arrangements. Moray Flood Risk Management have been consulted and do not object. The proposal accords with policies DP1 (iii) (a) and policies EP12 and EP13.

Impact on Bats (EP1)
A bat survey has been carried out and found no evidence of bats. The development will not affect bats and this element of the scheme complies with policy EP1 (d).

Developer Obligations
Developer obligations have confirmed that no obligations are required in this case on the basis that the unit would not be used as a permanent residence. If the application was approved this matter

would be controlled by condition otherwise the proposal would have to be reassessed for developer obligations.

Recommendation
The proposed site is cramped and not of sufficient size to reflect the established pattern of residential development in the immediate vicinity. The relationship with the neighbouring dwelling means that residential use (albeit on an occasional/holiday basis) would adversely impact on the neighbouring property and the opening on the western elevation would give rise to loss of privacy and overlooking The proposal is contrary to policies DP1 (i) (a & e), DP8 and EP3 and it is therefore recommended that planning permission is refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY				
Reference No.	**Description**			
20/01393/APP	Alterations and change of use of existing building to dwellinghouse at 212C Findhorn Forres Moray			
	Decision	Withdrawn	**Date Of Decision**	30/10/20

ADVERT		
Advert Fee paid?	**Yes**	
Local Newspaper	**Reason for Advert**	**Date of expiry**
Forres Gazette	Departure from development plan	30/03/21
PINS	Departure from development plan	30/03/21

DEVELOPER CONTRIBUTIONS (PGU)	
Status	**NONE SOUGHT**

DOCUMENTS, ASSESSMENTS etc. * ** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*		
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Bat Survey	
Main Issues:	No evidence of bats found and no impact anticipated During building works, roofing materials should be removed by hand. If the presence of bats are identified, contact should be made with a licensed bat surveyor for further advice.	
Document Name:	Supporting Statement	
Main Issues:	• History of development and surrounding buildings • Background to the application • Assessment of development against policy including hutting criteria	

Document Name:	3D images and annotated photographs
Main Issues:	• Views of development with annotations of development • Examples of other developments in Findhorn

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended

REFUSAL OF PLANNING PERMISSION

[Forres]
Application for Planning Permission

TO Mr Donald Canavan
9 Ormelie Terrace
Joppa
Edinburgh
Lothian
EH15 2EX

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Change of use and alterations to boatshed to provide a hut for occasional overnight stays at Site Adjacent To 212A Findhorn Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: **14 May 2021**

[redacted]

HEAD OF ECONOMIC GROWTH AND DEVELOPMENT
Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to the requirements of policies DP1 (I)(a & e), and DP8 & EP3 of the Moray Local Development Plan 2020 because:

- The site at 84m2 is not of a scale that reflects the existing pattern of residential development in the immediate vicinity and is therefore unsuitable for residential development of any kind;
- The relationship between the shed and the neighbouring house is such that use of the site even for non-permanent residential use would adversely impact on the amenity of neighbouring properties;
- There would be an adverse impact on the privacy of neighbouring properties as a result of overlooking from the proposed opening on the western elevation which is in close proximity to the site boundary and
- The proposal fails to reflect the traditional settlement pattern of the immediate vicinity and therefore would erode the traditional settlement character of the Culbin to Burghead Coast Special Landscape Character.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference Version	Title
	Location plan
D	Elevations floor and site plan

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

APPENDIX 2

NOTICE OF REVIEW, GROUNDS FOR REVIEW & SUPPORTING DOCUMENTS

The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100425274-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	9 Ormelie Terrace
First Name: *	Donald	Building Number:	
Last Name: *	Canavan	Address 1 (Street): *	9 Ormelie Terrace
Company/Organisation		Address 2:	Joppa
Telephone Number: *	07967 329396	Town/City: *	Edinburgh
Extension Number:		Country: *	Lothian
Mobile Number:		Postcode: *	EH15 2EX
Fax Number:			
Email Address: *	donaldcanavan@hurdrolland.co.uk		

Site Address Details

Planning Authority: Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site and Boatshed adjacent to 212 Findhorn Forres Moray IV36 3YY

Northing 863810 Easting 304440

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Change of use and alterations to boatshed to provide a hut for occasional overnight stays at site adjacent to 212AFindhorn Moray

Type of Application

What type of application did you submit to the planning authority? *

- [x] Application for planning permission (including householder application but excluding application to work minerals).
- [ ] Application for planning permission in principle.
- [ ] Further application.
- [ ] Application for approval of matters specified in conditions.

What does your review relate to? *

☒ Refusal Notice.

☐ Grant of permission with Conditions imposed.

☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Grounds for review are contained within the 'supporting documents' section, titled 'Grounds for Review' along with relevant documents titled Appendices 1 to 5.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * ☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

'Grounds for Review' document Appendix 1 Planning Drawing Rev D May 2021 Appendix 2 Images of 3D Computer model showing relationship and massing of respective buildings (3D model is available for review if required) Appendix 3 Supplementary Images - Views from road, and comparable local developments Appendix 4 Location Plan Appendix 5 Feu Plan of site.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application. 21/00272/APP

What date was the application submitted to the planning authority? * 24/02/2021

What date was the decision issued by the planning authority? * 14/05/2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

Further written submissions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Information and documentation provided to the Planning Officer which was material to the process of assessment and determination was not taken in to account in the application process. The relevant information is attached again herewith. The documents are listed in the preceeding pages.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? * ☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? * ☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. * ☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? * ☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? * ☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? * ☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review * ☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Donald Canavan

Declaration Date: 06/06/2021

GROUNDS FOR REVIEW

AGAINST THE REFUSAL OF PLANNING PERMISSION 21/00272/APP

FOR THE

CHANGE OF USE AND ALTERATIONS TO BOATSHED TO PROVIDE A HUT FOR OCCASIONAL OVERNIGHT STAYS

AT

SITE ADJACENT TO 212A FINDHORN MORAY

MR DONALD CANAVAN FRIAS RIBA MCIARB

4TH JUNE 2021

SUMMARY OF THE GROUNDS FOR REVIEW

- The appellant seeks to improve upon, restore and make good an existing boatshed building that has been on this land and in his family for 60 years.
- The use as a boatshed will continue as the primary use of the building – its where the appellant keeps his boat and has done all his life. The physical changes will improve the appearance of the shed, maintain its character and ensure its survival for the future.
- Allowing the internal area to be improved upon to provide a mezzanine level internally could be done and the mezzanine used for storage of tools, equipment etc. A toilet/ shower will be provided and sink/ power etc all of which it is reasonable to find in a workshop. The applicant is asking that he may use this area occasionally to stay overnight in the boatshed. In hindsight if he hadn't asked would the issue even be raised by Planning?
- The proposal is most definitely not a 'residential or tourism' related proposal. The reasons for refusal refer to residential development incorrectly and the reference to policy DP8 Tourism is irrelevant to this proposal.
- The applicant will not be seeking to make money from the boatshed by renting it out. It is not a tourism facility; it is his for his own boat storage and maintenance.
- The impacts upon an existing neighbour are exaggerated in the report of handling. The Boatshed and the neighbouring house have always co-existed without issue. They were once one planning unit, in the same ownership, but haven't been for decades. There have always been two windows on the back wall of the boatshed facing this house. The house was sold and purchased by the current occupier in the full knowledge of these windows on the boatshed.
- The irony in this scenario is that the primary objector who occupies the upper flat in the house to the rear of the boatshed, lives in a separate part of that house that does not itself benefit from planning permission.
- Every step of the way the appellant has sought to engage positively with the Planning Officer and provide quick responses to questions, extra drawings, a bat survey and information. He has been entirely upfront and honest in his approach to this.
- The LRB must note that there is no objection to the proposal from the occupier of the house the Planner is so concerned about.
- There are also no objections from any of the consultees on the application.
- The crux of the issues comes down to whether the building forms part of the character of the settlement – it must do, it's been there for over half a century. In addition, so many points in the report of handling are agreed that on balance this should be approved.
- The LRB are respectfully requested to approve the planning permission for the works to the building.

1. INTRODUCTION

1.1 The Planning Officer, under delegated powers, determined to refuse an application by Mr Canavan at the site adjacent to 212A Findhorn for the change of use of an existing boatshed building and a number of alterations to the boatshed so that Mr Canavan could use it for occasional overnight stays. The LRB are asked to note that property is not permanently changing to a house, it will still essentially be a boatshed. The reasons for refusal on the decision notice are as follows:

"The proposal is contrary to the requirements of policies DP1 (I)(a & e), and DP8 & EP3 of the Moray Local Development Plan 2020 because:

• The site at 84m2 is not of a scale that reflects the existing pattern of residential development in the immediate vicinity and is therefore unsuitable for residential development of any kind;

• The relationship between the shed and the neighbouring house is such that use of the site even for non-permanent residential use would adversely impact on the amenity of neighbouring properties;

• There would be an adverse impact on the privacy of neighbouring properties as a result of overlooking from the proposed opening on the western elevation which is in close proximity to the site boundary and

• The proposal fails to reflect the traditional settlement pattern of the immediate vicinity and therefore would erode the traditional settlement character of the Culbin to Burghead Coast Special Landscape Character."

2. THE SITE AND THE PROPOSAL

2.1 The planning pack submitted with the application and again with this review to the Local Review Body of Moray Council contains all the supporting information required to determine this review. A full list of the documents provided is contained in the appendix to this document.

2.2 The site is an existing boatshed that once formed part of a larger site with Broom Cottage. The boatshed building is timber clad with a metal roof and sits to the east of a semi-detached house 212A Findhorn. The shed is at the closest point to this nearest house 1.7m away. Direct access from the road along the site frontage leads to a parking area at the front of the boathouse. The site is semi-screened from view by the existing large mature birch tree on the frontage/ roadside.

2.3 The applicant has always kept his boat at the boatshed and spends time in Findhorn, where he grew up, tending his boat, taking it out on the water,

maintaining his connections with the place and occasionally staying overnight in the boatshed.

2.4 The proposed alterations to the physical structure of the boatshed will not alter the footprint but marginally increase the volume slightly by providing some storage at mezzanine level over the front part of the building. The main difference will be that the applicant will have facilities such as toilet with shower and a stove/ heating facility that aren't there at present, plus he could potentially sleep there overnight in comfort when he is up there if he chose to. His idea is that the character of the boatshed remains very much as it is now, but with improvements to the building/ structure to allow it to remain for the future. It will remain a fully functioning boat maintenance shed. Furthermore, the removal of the windows on the rear of the boatshed will create a gain in terms of amenity for the occupiers of 212A, the house to the rear of the boatshed. In discussing the proposal the applicant had mooted the notion of the boatshed being like a 'hut' in terms of occasional overnight stays but had no notion of it being open to other people to use. To compare it to holiday accommodation in the report of handling isn't correct.

2.5 The design of the boatshed's proposed alterations complement the existing simple character of the building in form, materials and detailing. Alterations have been made to the original proposal by the applicant in order to reduce any perceived impact on the house to the rear. The report of handling agrees that the proposal accords with the requirements in DP1(i) (a) and EP3.

2.6 The nature of the roof and position of rooflights and windows is acknowledged in the report of handling as not resulting in overlooking for neighbours and even results in an improvement in terms of privacy.

3. RELEVANT PLANNING POLICIES

3.1 The relevant planning policies are set out in the Moray Development Plan 2020. A number of policies are referred to in the decision notice/reasons for refusal.

3.2 Policy DP1 Development Principles states that the policy applies to all development. The reason for refusal states that two criteria of this policy are not met – (a) relating to design and (e) relating to impact on neighbours. The requirement in relation to (a) is that "*The scale, density and character must be appropriate to the surrounding area and create a sense of place (see Policy PP1) and support the principles of a walkable neighbourhood.*"

3.3 IN regard to 9 e) the policy states that "*Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.*"

3.4 Policy DP8 Tourism Facilities and Accommodation is also stated in the decision. This policy states that "*Proposals which contribute to Moray's tourism industry will be supported where they comply with relevant policies. All proposals must*

demonstrate a locational need for a specific site."……" Proposals for hutting will be supported where it is low impact, does not adversely affect trees or woodland interests, or the habitats and species that rely upon them, the design and ancillary development (e.g. car parking and trails) reflects the wooded environment and the proposal complies with other relevant policies. Proposals must comply with 'New Hutting Developments – Good Practice Guidance on the Planning, Development and Management of Huts and Hut Sites' published by Reforesting Scotland."

3.5 Policy EP3 relates to Special Landscape Areas and requires that: *"Development proposals within SLA's will only be permitted where they do not prejudice the special qualities of the designated area set out in the Moray Local Landscape Designation Review, adopt the highest standards of design in accordance with Policy DP1 and other relevant policies, minimises adverse impacts on the landscape and visual qualities the area is important for, and are for one of the listed uses. In relation to Landscape Character it also states that "New developments must be designed to reflect the landscape characteristics identified in the Landscape Character Assessment of the area in which they are proposed."*

4. MATERIAL PLANNING CONSIDERATIONS

4.1 In support of the Grounds for Review to the Local Review Body we would draw to the LRB's attention the following which has a bearing on the LRB considering the proposal de novo.

4.2 The report of handling concludes that the Planning Officer is of the opinion that: '*the site is cramped and not of a sufficient size to reflect the established pattern of residential development in the immediate vicinity.*' However, the LRB are asked to consider that this is an existing building, it has been on this site, in this small curtilage for in excess of 60 years. It is very much part of the established character of this part of Findhorn. To say it is not part of the established pattern of residential character is clearly incorrect. If this were a new building on an open site then perhaps that could be true but the fact remains that the proposal is for physical alterations to an existing boatshed.

4.3 The conclusion goes on to say that the relationship of the building with the neighbouring house means that residential use would adversely impact on the neighbouring property and the opening in the western elevation would give rise to loss of privacy and overlooking. However, the proposal is not for residential use – it is for physical alterations to the boatshed. The applicant has stayed in the building overnight now and again, very occasionally as he'll stay with friends in Forres when he visits but he would like the option of being able to stay overnight in his own building now and again.

4.4 In the decision notice only 2 documents were referred to namely Location Plan and Elevations Floor and Site Plan revision D. Other relevant documents

containing important information were requested by the Planning Officer and were provided but were not referred to in the decision notice. These included a drawing containing 3D computer-modelled images of the juxtaposition of the various buildings, and sections through the critical relationship between the boatshed and the adjacent dwelling, and a statement illustrating similar developments locally and views from the adjacent main road showing the existing and proposed roof heights in context. The documents submitted also included a detailed statement demonstrating compliance with planning policy prepared by Suzanne McIntosh Planning Limited. These documents together contained important and relevant information pertinent to the decision. The appellant would therefore request that the LRB takes into account all of the relevant information submitted with the application with the request for review.

4.5 The decision notice states that the proposal is contrary to the requirements of policies DP1(I)(a&e), DP8 and EP3 however this statement at the start of the schedule of reasons contradicts what is stated in the officer's report of handling. She states that the proposal is acceptable in terms of DP1(a).

4.6 In relation to the reason for refusal and bullet point 1 Site Area: The site area is similar to other sites which are approved for residential use locally as referred to in the submission documents. A site area of 84m2 does not represent ground for refusal because domestic developments of similar area have been approved locally. (Reference 177 Findhorn developed by LDN Architects in 1986, and North Whins Development by Greenleaf Developments - approved 2019). Other examples are available. However, the fundamental point is that the proposal is not for a residential development it is for alterations to an existing building.

4.7 The immediate local area contains a variety of plot sizes and dwelling sizes, developed over many years since the original dwelling, now Broom Cottage was developed as a cholera hospital in 1864. The immediate vicinity includes 1950s council terraces, stand-alone cottages and bungalows from the 1930's to the 2010's. The random and unrestricted texture of development in the area is demonstrated by the Ordnance Survey map of the area. Matching the 'existing pattern of residential development in the immediate vicinity' as interpreted by the officer is neither a requirement, nor necessarily desirable aesthetically.

4.8 Notwithstanding this, the Boatshed has existed in its present footprint for 60 years, and no change to that footprint is proposed, thus the proposal does not alter the texture of the local development. **The only change to the existing building is a proposed raising of the roof by 85cm, to provide space for a minimal sleeping platform and the permission for occasional overnight stays in the building.** This does not constitute a residential use and could happen on an ad hoc basis at present at the boatshed without ever bringing it to the Planners.

4.9 The proposal includes recladding of the building to improve its appearance, which would be of significant aesthetic benefit to the amenity of the local area and the specific cluster of buildings within which it sits. The 3D images provided and site photographs show the buildings in situ and should be referred to.

4.10 With regard to the second bullet point, the relationship between the shed and the dwelling: The relationship between the Boatshed and the neighbouring house is a relationship created by the extension of that neighbouring house in 1986, in closer proximity to the appellant's Boatshed. Nothing the appellant has done has affected that relationship – it was the choice of the neighbouring proprietor to extend their building in close proximity to the Boatshed. It is unreasonable in the appellant's view that he should be restricted by this or prevented from improving his building as a result of this.

4.11 Notwithstanding the above, the neighbouring proprietor Mr Van Beuren has confirmed to the applicant verbally and in writing that he did not and does not object to what is proposed in the planning application.

4.12 Since the submission of the application it has apparently emerged that the neighbouring property has been further developed and subdivided to create an entirely new dwelling within the roof-space and that this development appears to have occurred without Planning Consent. We understand this is now being investigated by the Enforcement Officer.

4.13 The LRB is asked to consider the following, we understand that the occupant of the subdivided dwelling, that importantly does not benefit from planning permission, has objected to some impact on their amenity by the reroofing of the Boatshed. However, not only is this questionable in principle but the actual substance of their objection is factually incorrect because the bedroom windows they complain will be affected in light and view (devoid of planning consent as they are) sit on the opposite (west) side of the roof looking out over Findhorn Bay. Therefore the impacts they allege are impossible to achieve.

4.14 This was explained, at length in emails, to the Planning Officer. However, the applicant was told that 'anyone' could complain about a development and even if his bedroom windows had been able to see the garage, (which they cannot being on the opposite side of the building) the fact that these windows should not exist, was not relevant. This appears to be a very odd interpretation of the purpose of neighbour notification.

4.15 Regarding the third bullet point in the reason for refusal – the alleged adverse impact on neighbouring properties, the LRB is asked to note that there were no objections from registered proprietors of neighbouring properties. The appellant met with all three immediate conterminous proprietors last summer and advised them of his intentions. Only support and no objections were received. He then sent the original proposal drawing to all three neighbouring proprietors. He received letters of support from Professor Sir James Dunbar

Nasmith in Sandbank to the North side, and from Captain David Scott in Eithin across the road from the development.

4.16 A non-permanent, ad hoc, occasional overnight stay in the boatshed is not the same in terms of impacts as a full time, permanent residential use. The ad hoc use as proposed would render the boatshed a mixed use and would clearly not impact upon the amenity of the neighbouring properties. Access and egress to the building are from the front (roadside) elevation of the boatshed via the front yard area which again has no impact on conterminous properties.

4.17 The reason stating that '*there would be an adverse impact on the privacy of neighbouring properties as a result of overlooking from the proposed opening on the western elevation*' is not borne out by the facts, evidence and all the information available to the Local Review Body.

4.18 There are currently two double windows in the gable of the boatshed which have been there since it was built in 1960. The adjacent dwelling was extended up to the boatshed's gable by the then owner in 1986, and in hindsight the applicant probably should have objected at that time but the approach he took was that if the juxtaposition of the respective windows did not trouble them as the proposer, it should not trouble him either.

4.19 Mr Van Beuren, the neighbour in the house to the rear, very recently bought this dwelling presumably in full knowledge of this juxtaposition. When works were proposed to the Boatshed, the applicant even went so far as to propose removing these two gable windows to create greater privacy for the neighbour. This has not been recognised or acknowledged by the Planning Officer. The proposed new window opening is sited specifically and deliberately out beyond the gable wall line of Mr Van Beuren's adjacent dwelling, so that the boatshed will have approximately the same amount of light to allow the applicant to work on his boat in the Boatshed but without any of the alleged overlooking concerns. Again, we reiterate that the adjacent owner who the Planning Officer believes may be potentially affected by this opening has confirmed that he did not object, and does not object to the proposals.

4.20 With regard to the fourth bullet point in the reason for refusal '*the property fails to reflect the traditional settlement pattern of the immediate vicinity*' we strongly contest this for two main reasons; the historic development of the area is not regular- it is characterised by sporadic ribbon development beginning with the construction of Broom Cottage as an isolated Cholera Hospital in 1864, followed by gradual ad-hoc infilling of sites along the roadside over the following 160 years. In respect of land use and buildings in the landscape, the immediate area contains stand-alone moderately sized dwellings, close clusters of terraced dwellings, close clusters of dwellings from various periods, and traditional outbuildings.

4.21 It is self-evident that the Boatshed has long formed an integral part of this mix, and it is not being changed in plan. Because the Boatshed building footprint has remained unchanged for 60 years it is therefore inarguably a more well-established and more integrated part of the traditional settlement pattern than the more recently extended house adjacent.

4.22 There is no proposal to change the established and integrated traditional settlement pattern of which the Boatshed forms part. If it is found that there is anything untraditional about the settlement pattern, which we dispute, this was self-evidently caused by the most recent 1986 extension of the house adjacent, too close to the applicant's traditional boatshed which pre-existed the house by 25 years.

4.23 The recladding of the Boatshed building is proposed in very traditional larch cladding boards and the same sinusoidal profiled roofing texture as existing, which will improve its traditional character and contribute positively to the amenity of its environs significantly.

4.24 The allegation that such vernacular and character-respectful improvements to a well-established traditional building would '*erode the traditional settlement character of the 'Culbin to Burghead Coast Special Landscape Character'* we certainly do not agree with, for a number of reasons:

- The building in its present form significantly predated the establishment of the policy and would thus be deemed to be integral to the character which the policy seeks to protect.
- The proposed alterations do not affect the building plan size or shape, thus the settlement character in planning texture terms is entirely unaffected.
- The only massing change proposed is a minimal 85cm heightening of the eaves.
- The treatment of the exterior elevations will make the appearance of the building more, not less, in keeping with the traditional vernacular character of the Moray Coast, and more not less in keeping with similar developments in the Findhorn area all of which have been approved by Moray Council over the past twenty years.

4.25 The Boatshed has been in its present site and in its current form for 60 years and it is our view that it does by nature of its pedigree and age reflect the 'traditional settlement character' in terms of siting and design.

4.26 The development proposals do not affect the existing siting. In our view they will improve the design of the building and safeguard its condition for many years to come, and by its use of traditional proportioning and high-quality traditional finishes typical of the coastal plain fishing village of Findhorn, the development will reflect the special qualities of the designation.

4.27 The content of the relevant Moray Local Development Plan policies is referred to in detail in the preceding section.

4.28 Local Plan proposals Map shows the Boatshed site area as within the existing settlement, not in an area of open countryside. The settlement pattern identified in the plan proposals map does not show anything anomalous about the development location or the footprints of the existing buildings. In fact, the policy plan does not show the correct building footprint, however no change to the actual footprint of any buildings is proposed. The only change in form proposed is to raise the roof of the existing boatshed by a minimal 85cm.

5. CONCLUSION

5.1 For the above reasons the LRB is asked to approve the physical alterations to the building as set out in this request for review.

5.2 The description of the proposal also states a 'change of use' although the proposal will largely retain the boatshed use and amend it to allow infrequent overnight stays. Whether that constitutes a change of use is a matter of fact and degree, and there is a strong argument that until overnight stays were regular then they could happen as a de-minimis element of the boatshed use at present and after the alterations being undertaken.

5.3 The LRB can therefore approve the physical alterations in the safe knowledge that these are acceptable in terms of the policies and can, if necessary, state that the formal 'change of use' that the Planners included in the description is not approved if that assists the LRB in arriving at their decision.

5.4 Lastly, the owner Donald Canavan was brought up in the adjacent property Broom Cottage since birth in 1962. He inherited the property and the boatshed upon the death of his parents and restored both in 1990, where he lived for 8 years, raising a family. Sadly, his wife's illness forced him to sell Broom Cottage to move to Edinburgh where she could be treated, however he retained the boatshed to keep his boat in, and to maintain his lifelong link with the place.

5.5 Fundamentally the application is not commercial in nature nor impacting upon planning policy. It was devised for minimal impact and submitted in the hope of avoiding the risk of losing this lifelong connection with Findhorn, a connection which is very important to Mr Canavan.

Specification of Finishes

Walls: 22mm thick x 125mm 'batten on board' Scottish Larch timber cladding

painted blue breathable coating.

Specific shade to be agreed with planning officer.

Windows European redwood tilt & turn by NorDan. Colour white

Roof Profiled metal sheeting: steel traditional sinusoidal profile

Colourcoat HPS200 Ultra. Colour Dark Grey,

Rainwater goods galvanised steel unfinished.

Exterior finishing joinery in Larch (sprockets in treated redwood), all painted white.

Doors Joiner built redwood sliding workshop door, painted blue as cladding

Design Intent

The buiding has been a timber workshop/ outbuilding since its original construction in 1959.

It was reconstructed around 1992 in the same shape and footprint.

The proposal retains the same footprint and retains the walls structure.

The eaves is raised by around 850mm and the roof pitch increased from 25 degrees to 32.5 degrees

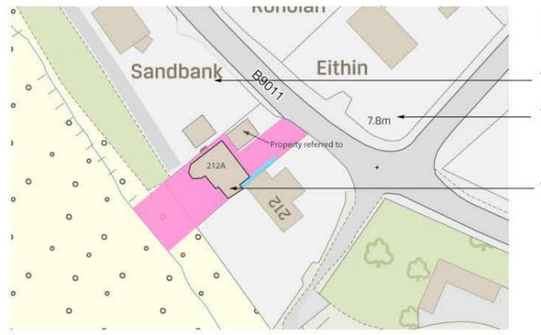
This creates space for an upper storage deck

The building will be overclad externally with larch boarding and roof cladding on existing profile

The walls and new roof trusses are c;lad in plywood internally

Windows are replaced and a WC and wood burning stove are inserted

Existing clear roof sheeting is replaced by 4 velux rooflights



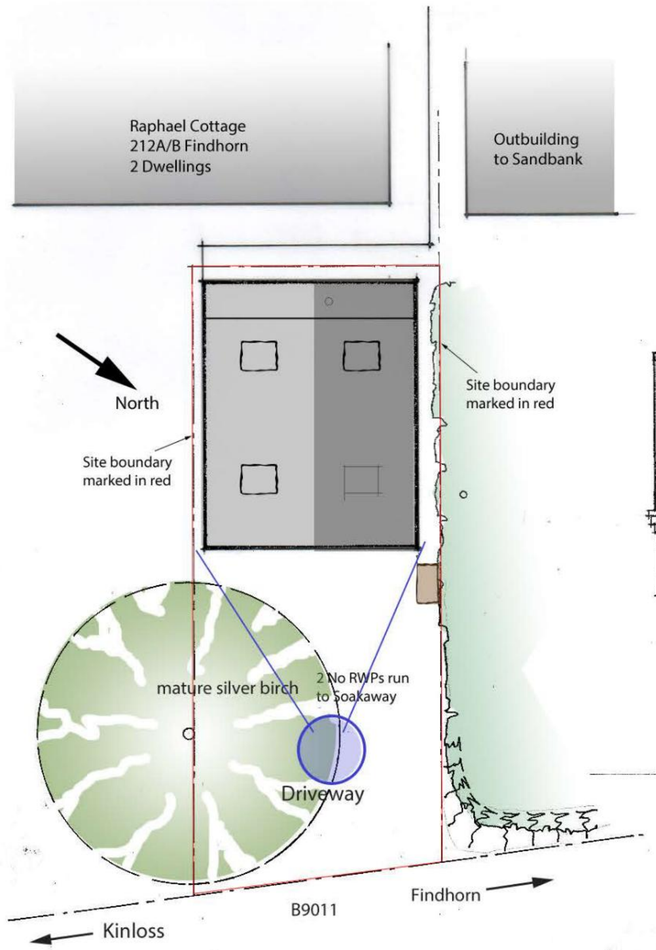
Location Plan (Building footprint is unchanged)

Neighbouring Proprietors

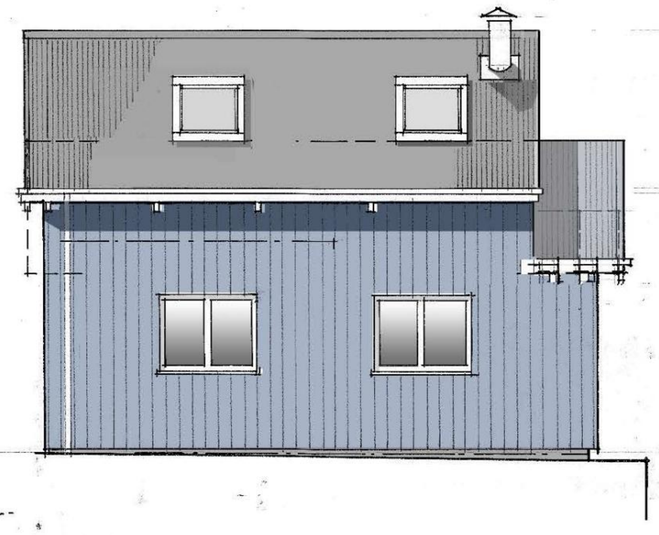
To North: 'Sandbank': Professor Sir James Dunbar Nasmith

To East: B9011 Main road from Kinloss to Findhorn, and 'Eithin': Capt. David Scott.

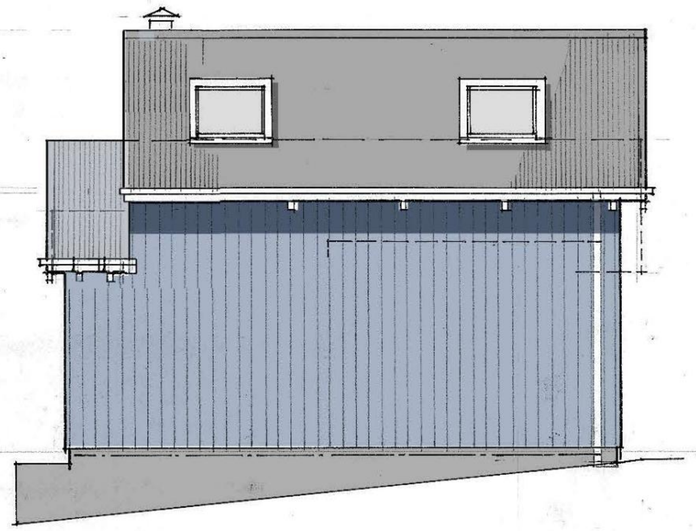
To West and South: 'Raphael Cottage 212A Findhorn': Mr Frank van Beuren



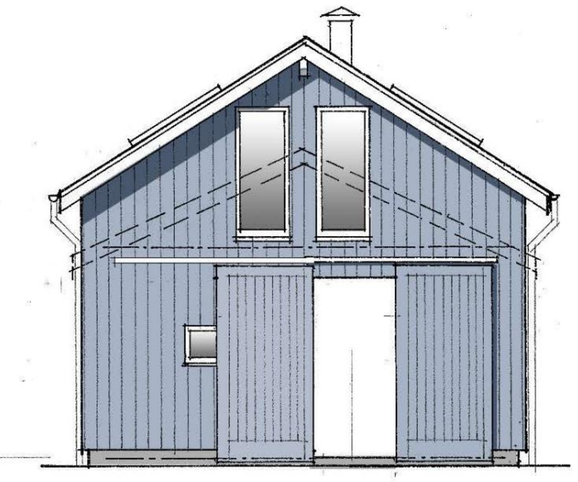
Site Plan 1:100



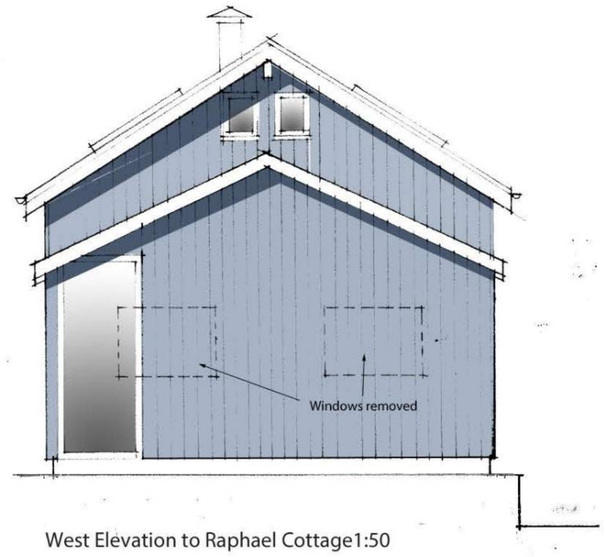
North Elevation 1:50



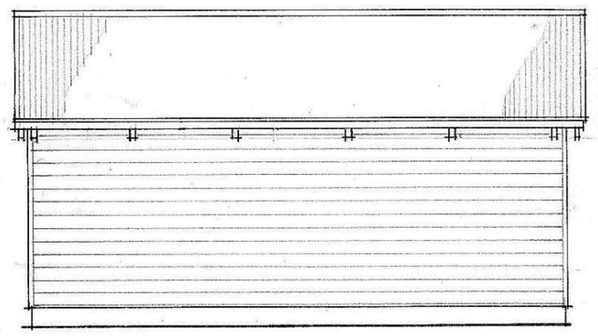
South Elevation 1:50



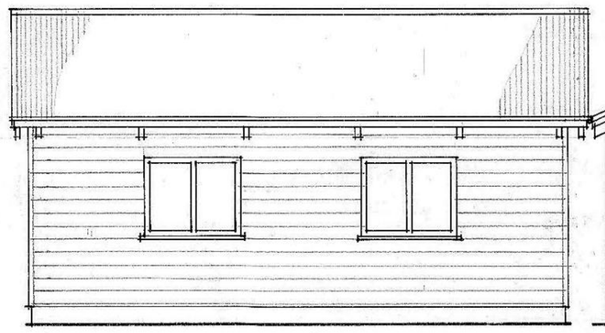
East Elevation to Road 1:50



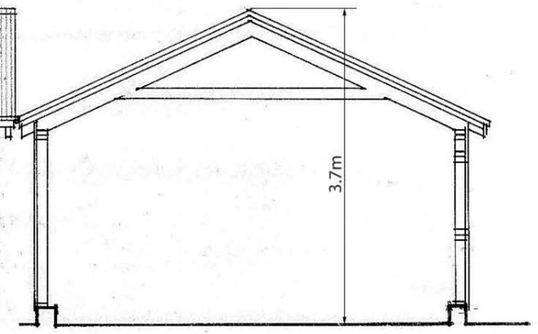
West Elevation to Raphael Cottage1:50



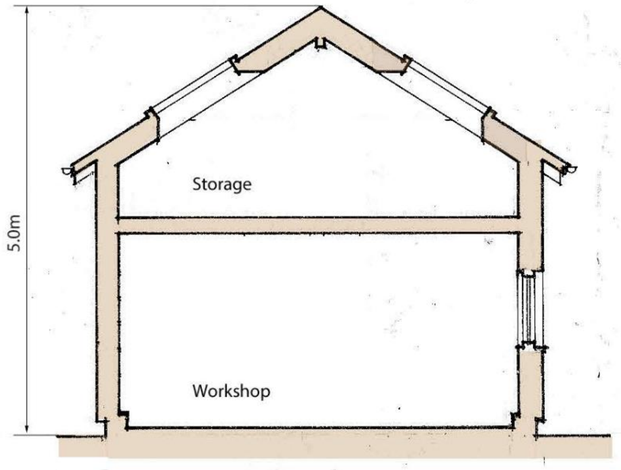
Extg South Elevation 1:50



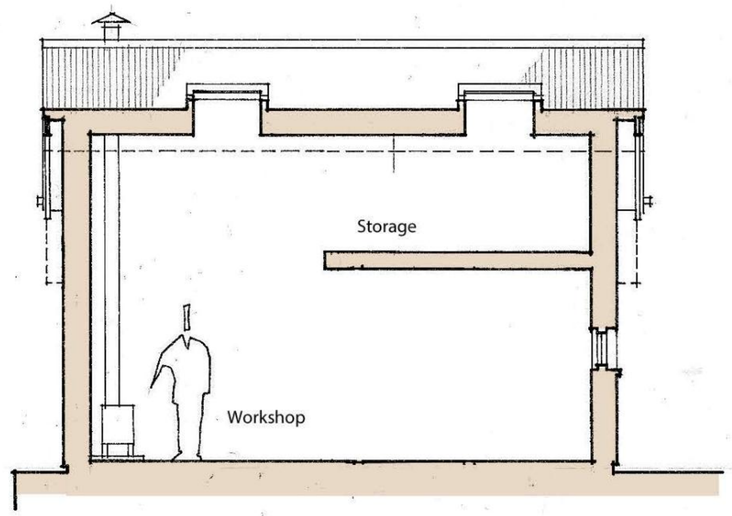
Extg North Elevation 1:50



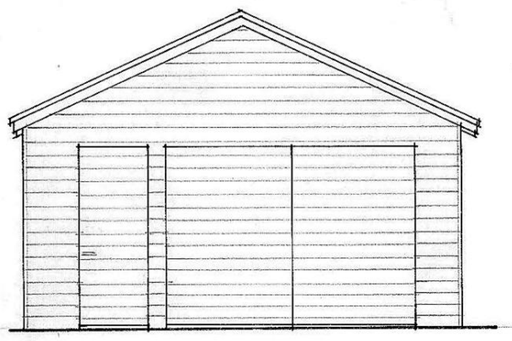
Extg Cross Section 1:50



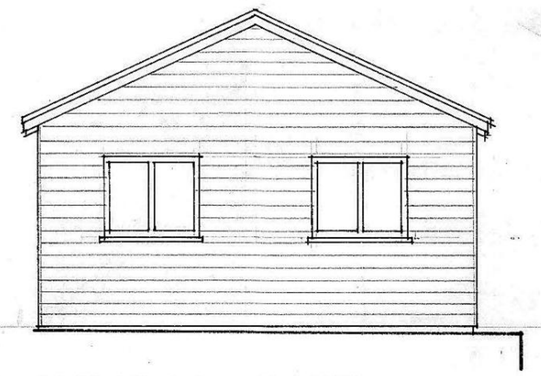
Cross Section 1:50



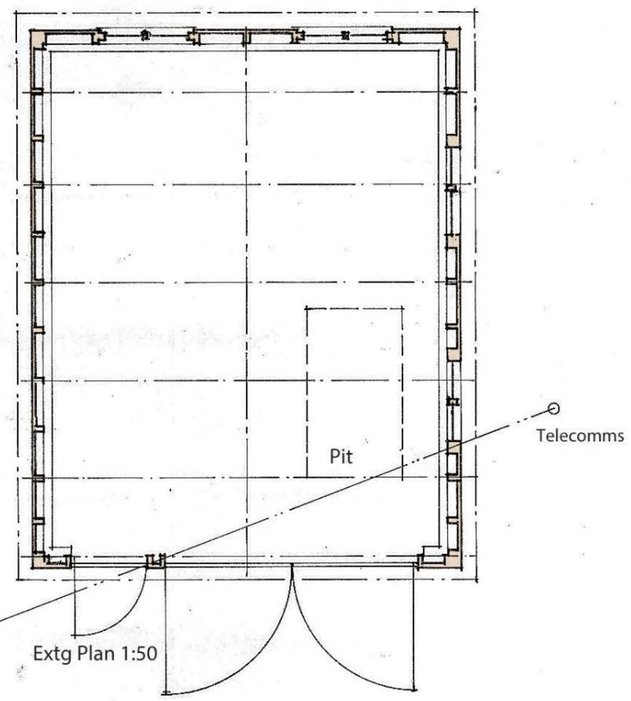
Long Section 1:50



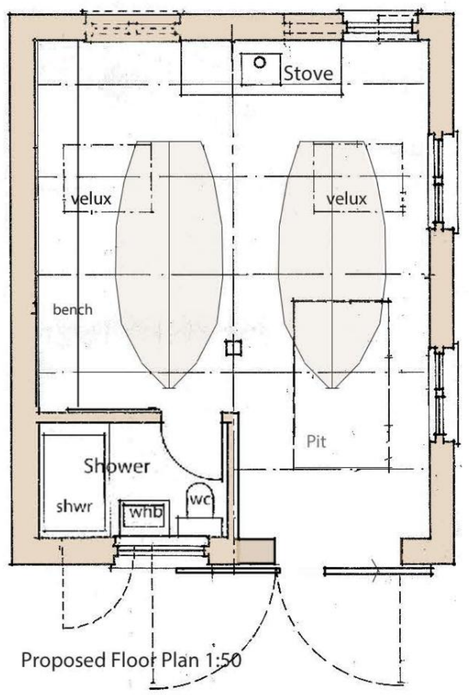
Extg East Elev to Road 1:50



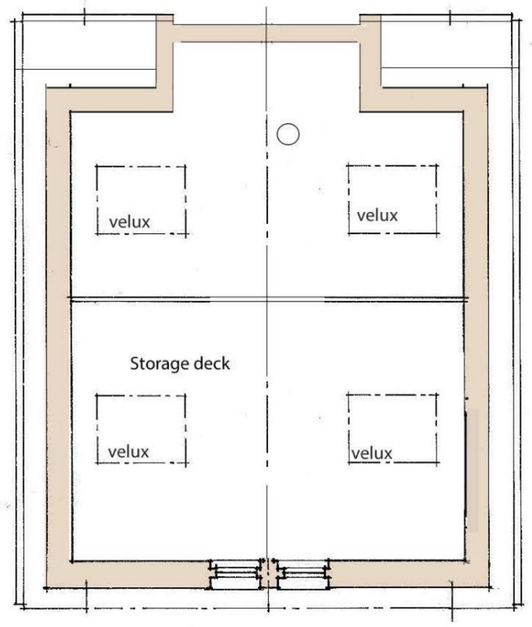
Extg West Elev to Broom Chalet 1:50



Extg Plan 1:50



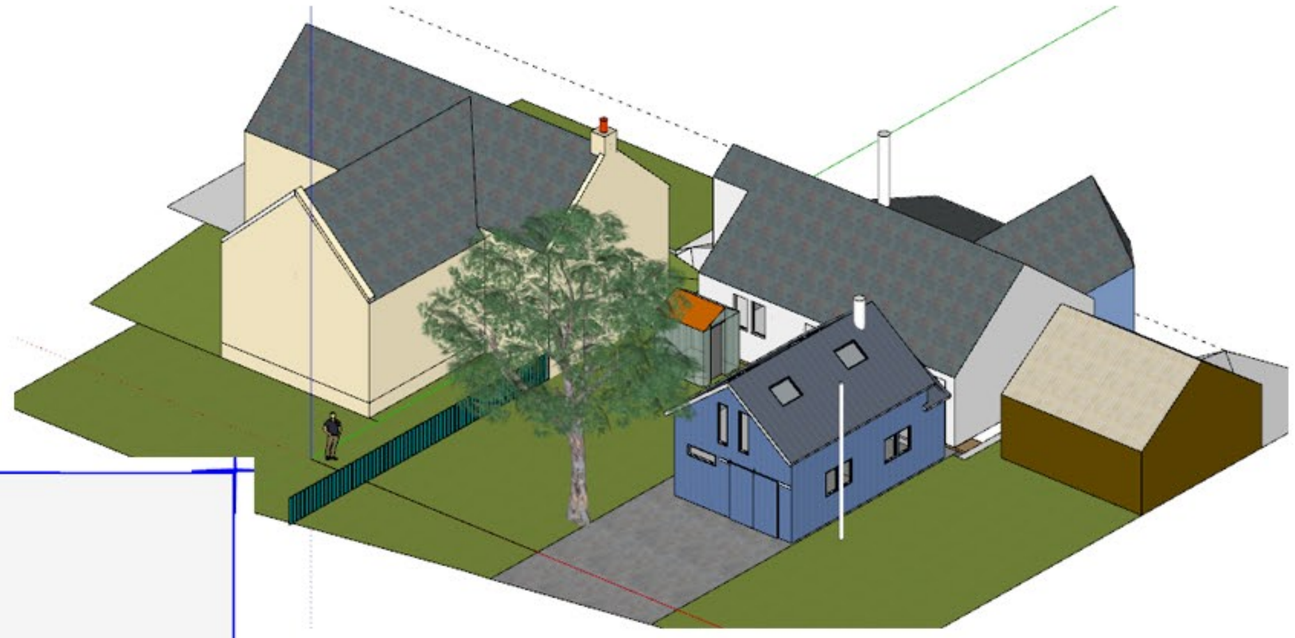
Proposed Floor Plan 1:50

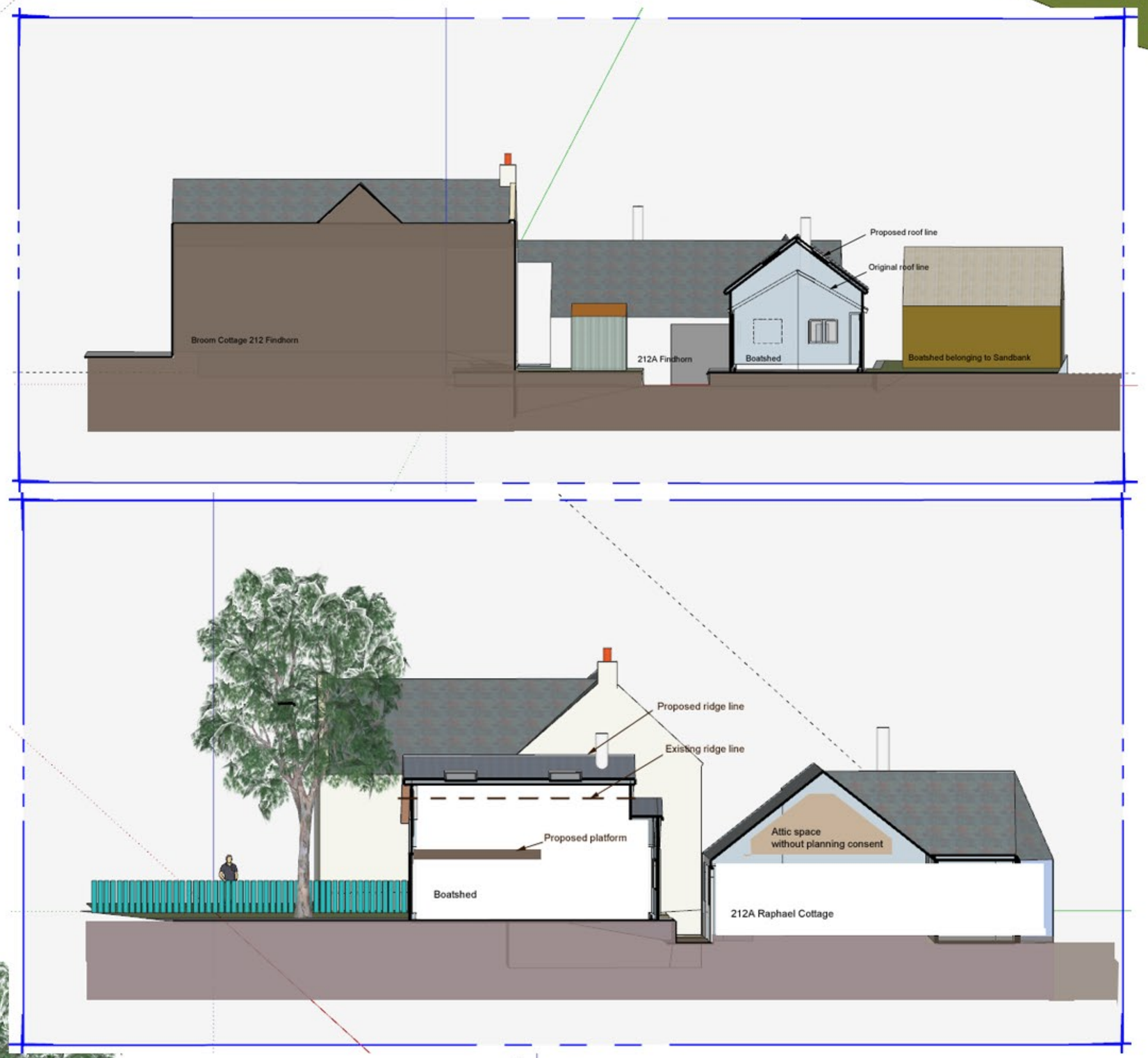


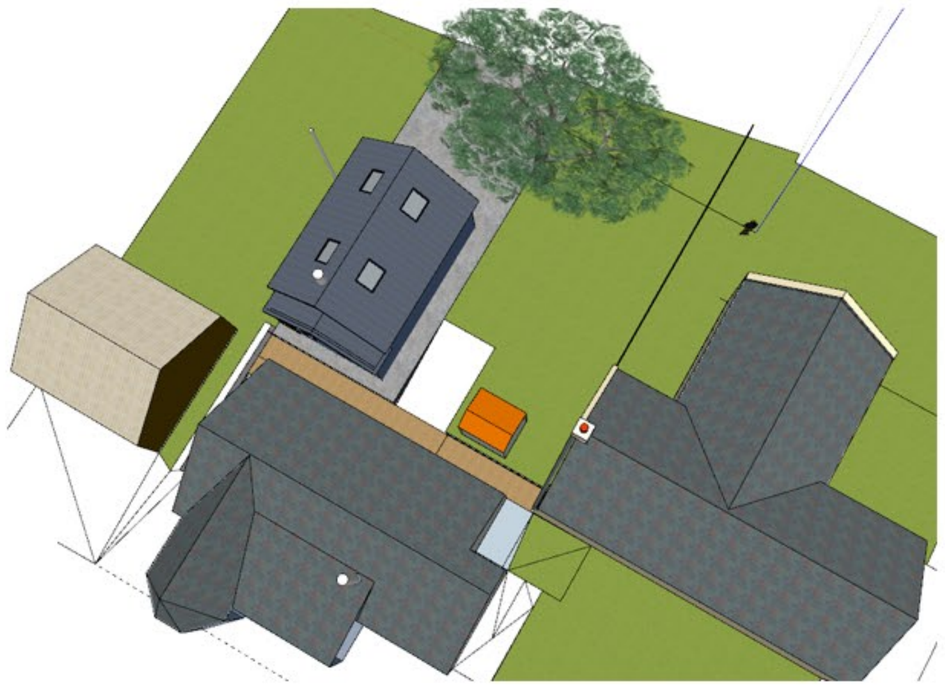
Storage deck 1:50

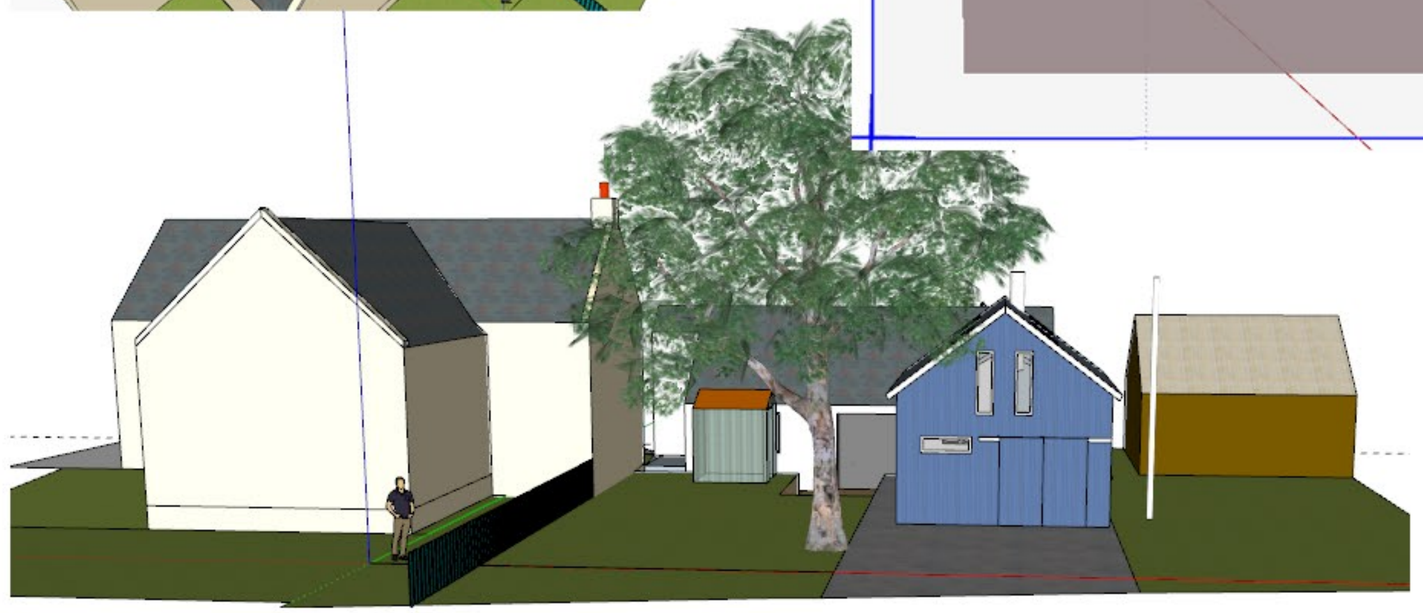
Re-roofing & recladding of Outbuilding
212c Findhorn, Forres Moray
Planning Application Drawing 01 Revision C May 2021

Mr Donald Canavan Scale 1:50@A1 September 2020









Alterations to Boatshed, 212 Findhorn
Mr D Canavan RIBA ARIAS MCIArb
Site Sections and Perspective views

View of space between buildings - Note that the house 212A was built out in 1986 to sit close to the pre-existing Boatshed. Planting was inserted by owner of house 212A.

View from Road currently. Dashed white lines indicate roof profile proposed. Change in massing is minimal and proportions of boatshed building are in keeping with traditional domestic scale buildings. Note the degree to which boatshed and curtilage are dominated and obscured by neighbour's birch tree.

View from Road showing current assembly of buildings. Note that light to ground floor “bedroom” is obscured by owner’s own garden shed, not by boatshed (relevant window and garden shed arrowed). If the rooflight is referred to as a ‘bedroom window’ this is puzzling because the 1986 Planning approval for the reroofing of the building was for a single storey dwelling. It did not include roof accommodation, and I have not been notified of a planning application to extend the accommodation into the roof.

Note also extent of tree canopy across site and corresponding light reduction.

Development Comparison One: Property conversion in Findhorn Village – 177 FINDHORN

Property Converted from a Single Garage into a stone dwelling for Mr Roy Mathieson in 1984. Less than a mile from 212 Findhorn. Property has no 'amenity space'. It has no drive, only a public lane and is built to the boundary line. It received Planning Approval from Moray Council in 1984 and represents a very successful conversion from a garage to a dwelling within the village.

Space against west gable at 177 Findhorn is considerably smaller than the drive space at the Boat shed. The close proximity of the lane shows that this approved proposal had considerably less amenity space than the Boat shed at 212 Findhorn.

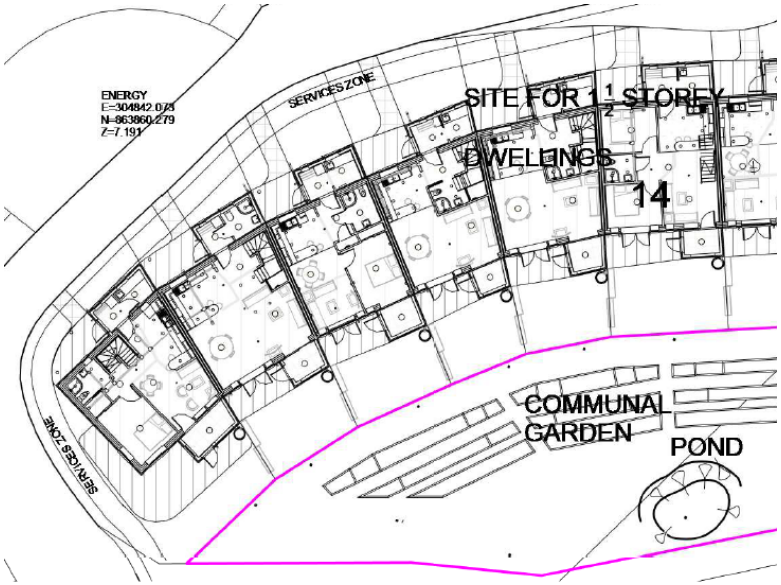
Development Comparison 2: North Whins, Findhorn

Less than a mile from the Boatshed at 212 Findhorn is the second phase of small terraced 1 ½ storey dwellings being developed by Greenleaf design and build on sand dunes adjacent to the Park at Findhorn Foundation. These have recently (2019) received Planning Approval from Moray Council.

The dwellings have a ground floor area of around 48 to 50m2, and a reduced first floor area. As the location plan shows they have minimal individual amenity space, instead similarly to the above development, they are sited within communal space.

It is important to reinforce here that the boatshed is not a permanent dwelling, and that its site area is 84m2.

It is therefore apparent that the Boatshed site and plot area are capable of carrying a dwelling and the necessary amenity space, when in immediate juxtaposition with public and community access space.



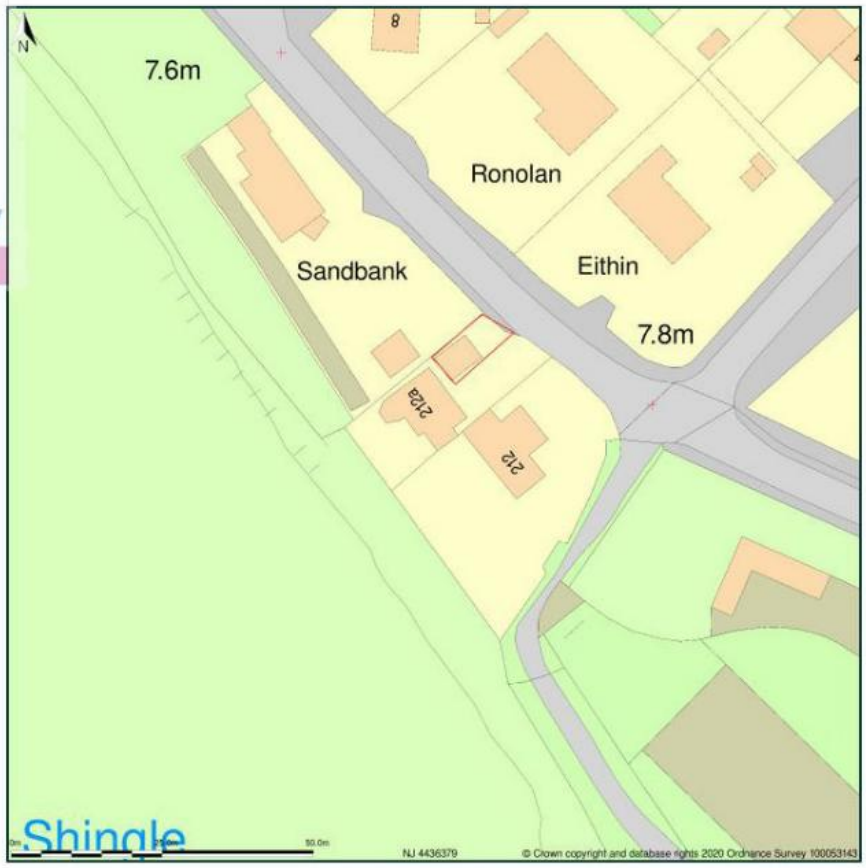
Location Plan - 14.8
1 : 500

14.8. - South Elevation
1 : 50

'North Whins' small 1 ½ storey dwellings terrace in Findhorn, with ground floor areas from 48m2, recently approved by Moray Council.

Buy A Plan
UK's Fastest and Easiest Planning Site

Site adj to 212a, B9011 From Findhorn Road In Kinloss To Findhorn, Findhorn, Moray, IV36 3YY



Site Plan shows area bounded by: 304366.66, 863722.99 304508.08, 863864.41 (at a scale of 1:1250), OSGridRef: NJ 4436379. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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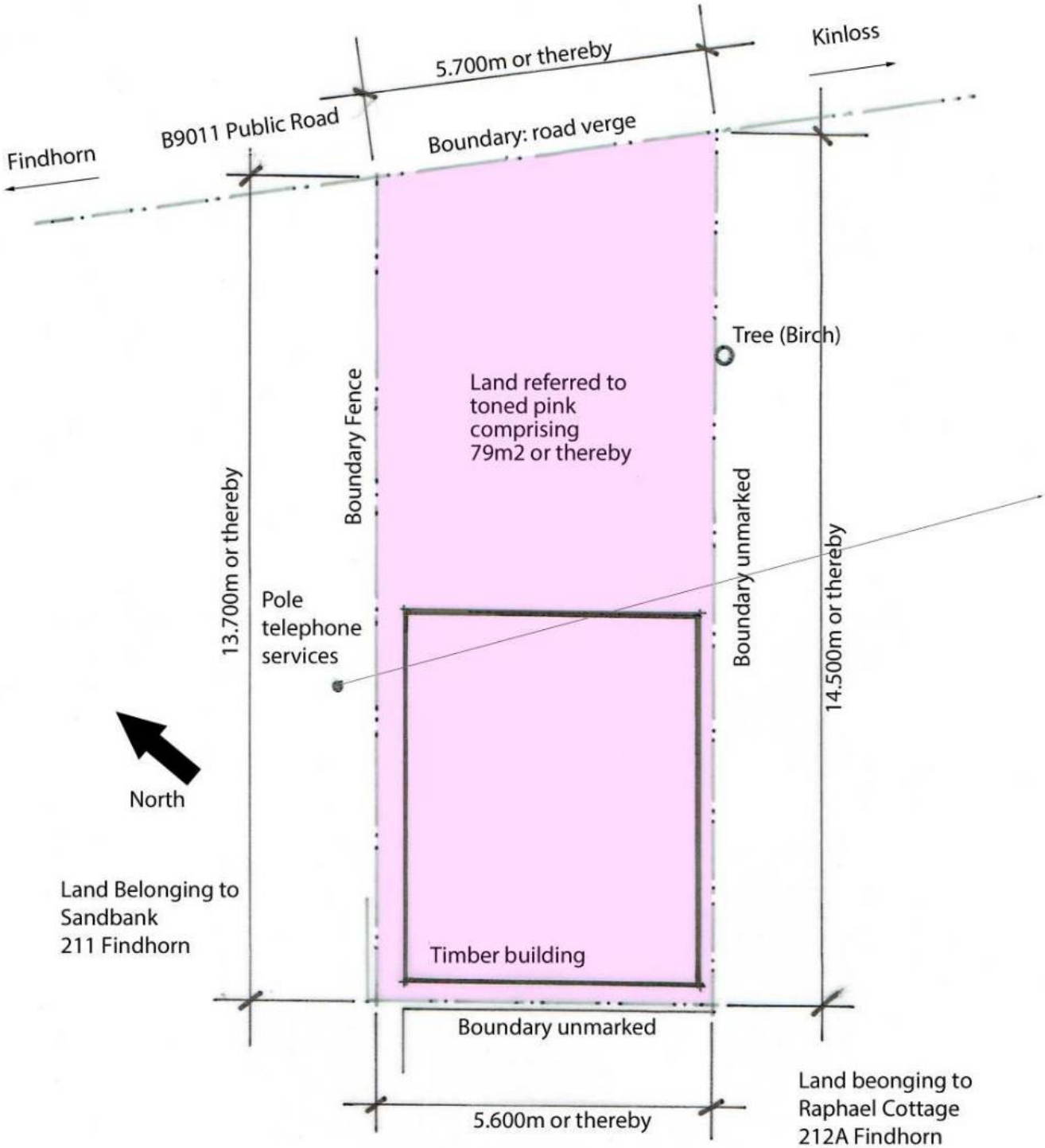
Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

14 May 2021

Development Management
Environmental Services
The Moray Council



Feu Plan
Land and building adjacent to 212A Findhorn, Moray.

Donald H Canavan

APPENDIX 3

FURTHER REPRESENTATIONS FROM INTERESTED PARTIES

Lissa Rowan

From: [redacted]
Sent: 24 June 2021 10:22
To: Lissa Rowan
Subject: RE: Notice of Review - Planning Application 21/00272/APP

Warning. This email contains web links and originates from outside of the Moray Council network.
You should only click on these links if you are certain that the email is genuine and the content is safe.

My concern about this application was always, and remains, the wider implications for Findhorn village, Moray county, indeed all Scotland, rather than the specifics, especially once the 'hut' word was introduced.

The applicant now represents his proposal as (and I paraphrase) 'improvement of the existing building/boatshed and the surrounding environment' via adding external cladding, increasing the roof height and number of windows to provide an internal mezzanine floor/bed space plus more natural light, also introducing new facilities better to accommodate overnight stays.

Should he be successful with his objection, I believe the applicant would use the shed 'responsibly' (if this is the right term), as he describes. And I understand and have some sympathy with his desire to retain a link with the village.

But time passes and change occurs.

In planning terms, and this is where the focus must be, I struggle to reach any conclusion other than that this remains an application for change of use of to residential, and that MC's refusal maintains the integrity of the planning system and thus should not be overruled.

[redacted]

Sent from Mail for Windows 10

From: Lissa Rowan
Sent: 10 June 2021 09:20
Subject: Notice of Review - Planning Application 21/00272/APP

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APPENDIX 4

APPLICANT'S RESPONSE TO FURTHER REPRESENTATIONS

Lissa Rowan

From: Donald Canavan <donaldcanavan@hurdrolland.co.uk>
Sent: 19 July 2021 12:10
To: Lissa Rowan
Cc: Beverly Smith; Suzanne McIntosh; jacquipc@icloud.com; Lorna Creswell
Subject: Notice of Review: Planning Application 21/00272/APP – Change of use and alterations to boat-shed to provide a hut for occasional overnight stays at site adjacent to 212A Findhorn, Moray REF LR/LR260

Warning. This email contains web links and originates from outside of the Moray Council network.
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Dear Lissa,

Thank you for sending me the redacted representation received while I was on leave. I advised that I wished to respond to this, and now respond as follows:

The email refers primarily to the *'wider implications for Findhorn village, Moray indeed all Scotland'* of raising the roof of a wooden boatshed by 85cm.
I am sure I do not need to draw more attention to the ridiculousness of this statement than it already draws to itself.

The implication which follows is that I have somehow changed the application. This is incorrect and misleading.
My only change was to propose a modification to the roof form to ensure that the kitchen windows of the property owned by Mr Frank van Beuren
received greater privacy and more northlight than it currently does (notwithstanding it had been built up to my boatshed, not the other way round).
It is my view that this offers an improvement from current circumstances, which should be welcomed.

The references to my use of my building being *'responsible'* or otherwise I am unclear of, in respect of planning policy.
Likewise the objector's reference to the possible future use of the property. The same could naturally be said of the future use of his property, and the potential for it to represent a nuisance to neighbours including myself.
Changes of use of either property in the future would of course be subject to the requirement for planning consent, so this is not currently a material consideration in determination of this appeal.

The final point made is that this *'remains an application for change of use to residential'*.
As made clear in the drawings and in the accompanying planning statement, this is evidently not an application for change of use to residential.
It proposes facilities to enable its ongoing use as a working boatshed and maintenance space for my boat, with the option for occasional overnight stays only.

It is my understanding that the person objecting to the change to the boatshed, is the person occupying the roof of the adjacent property belonging to Mr van Beuren.
It is a pity that the objector did not feel the same personal diligence with regard to observing planning policy constraints when he took up residence within a roof space that had never been considered for, far less received, any planning permission!

I have lodged a request for investigation and enforcement in respect of this, however I have recently been invited by you to raise a formal compliant concerning the time Moray Council have taken to respond to this.
I have lodged this this morning.

Mr Van Beuren, presumably his 'landlord', has expressed a strong desire to other people to purchase my garage and drive for himself in order to improve and enlarge his own property.
It is my view that it is this commercial self-interest which is driving the objection to my very minor proposal, not concerns over loss of amenity or transgression of planning policy.

In conclusion, the impression is hard to avoid that I am being criticised and penalised for following proper planning procedure, when my neighbour- in having developed an additional concealed dwelling without planning consent, has felt no need to observe planning legislation himself.

Kind regards,

Donald.

Donald Canavan RIBA FRIAS MCIArb
Partner

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