



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 100167303-001

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)

New Windows, Internal Alterations and Laundry Wing Replacement

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

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): \*

Please explain why work has taken place in advance of making this application: \* (Max 500 characters)

A development enquiry application was submitted to council on 21st November 2018 and not responded to until 8th February 2019. Client was unaware that planning was required.

## 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: | CM Design           |  |                      |
| Ref. Number:          |                     | You must enter a Building Name or Number, or both: * |                      |
| First Name: *         | Craig               | Building Name:                                       | St Brendans          |
| Last Name: *          | Mackay              | Building Number:                                     | 69                   |
| Telephone Number: *   | 01343540020         | Address 1 (Street): *                                | South Guildry Street |
| Extension Number:     |                     | Address 2:   |                      |
| Mobile Number:        |                     | Town/City: *   | Elgin                |
| Fax Number:           |                     | Country: *   | United Kingdom       |
|                       |                     | Postcode: *  | IV30 1QN             |
| Email Address: *      | office@cmdesign.biz |  |                      |

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 & Mrs         | Building Name:                                       | The Dowans Hotel |
| First Name: *        | M                | Building Number:                                     |                  |
| Last Name: *         | Murray           | Address 1 (Street): *                                | The Dowans Hotel |
| Company/Organisation | The Dowans Hotel | Address 2:   |                  |
| Telephone Number: *  |                  | Town/City: *   | Aberlour         |
| Extension Number:    |                  | Country: *   | Scotland         |
| Mobile Number:       |                  | Postcode: *  | AB38 9LS         |
| Fax Number:          |                  |  |                  |
| Email Address: *     |                  |  |                  |

## Site Address Details

Planning Authority:

Moray Council

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

Address 1:

ARCHIESTOWN HOTEL

Address 2:

THE SQUARE

Address 3:

ARCHIESTOWN

Address 4:

Address 5:

Town/City/Settlement:

ABERLOUR

Post Code:

AB38 7QL

Please identify/describe the location of the site or sites

Northing

844158

Easting

322985

## 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)

Response to Development Enquiry

Title:

Mr

Other title:

First Name:

Joe

Last Name:

Taylor

Correspondence Reference Number:

18/01489/ID/JT/FJA

Date (dd/mm/yyyy):

08/02/2019

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)

Replacement windows enforcement notice

Title:

Mr

Other title:

First Name:

Stuart

Last Name:

Dale

Correspondence Reference Number:

18/00307/ENF/SD/LMC

Date (dd/mm/yyyy):

04/04/2019

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:

850.00

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)

Hotel & Restaurant

## 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?

6

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)? \*

6

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)

Please refer to plans

## 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): \*

Class 7 Hotels and Hostels

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

850

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)

## 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: Craig Mackay

On behalf of: The Dowans Hotel

Date: 02/07/2019

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 principle 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 Craig Mackay

Declaration Date: 15/08/2019

## Payment Details

Online payment: 461949

Payment date: 15/08/2019 14:04:54

Created: 15/08/2019 14:04



DO NOT SCALE OFF DRAWINGS. ALL SIZES ARE TO BE CHECKED & CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORKS/ORDERING OF MATERIALS. NO WORK TO COMMENCE BEFORE APPROPRIATE APPROVALS ARE GRANTED CONTRACTORS RESPONSIBILITY TO ENSURE POSSESSION OF APPROVED DRAWINGS  
 CONTRACTOR/CLIENT TO ENSURE THAT ONLY THE APPROVED BUILDING WARRANT DRAWINGS ARE USED FOR CONSTRUCTION

AMENDED PLANS



PHOTOS OF NEW WINDOWS

| Door No | Door Width (mm) | Clear Width (mm) | Fire Rating | Fittings | Seals |
|---------|-----------------|------------------|-------------|----------|-------|
| D1      | 2475            | 1526             | %           | LOCK     | W     |
| D2      | 1000            | 992              | FRC140      | Peep SAI | %     |
| D3      | 715             | 663              | FRC140      | Peep SAI | %     |
| D4      | 838             | 785              | %           | %        | %     |
| D5      | 1030            | 875              | %           | %        | %     |
| D6      | 1995            | 1878             | %           | %        | %     |
| D7      | 838             | 785              | FRC140      | Peep SAI | %     |
| D8      | 762             | 710              | %           | %        | %     |
| D9      | 762             | 710              | %           | %        | %     |
| D10     | 2470            | 1545             | %           | LOCK     | W     |
| D11     | 900             | 885              | FRC140      | Peep SAI | %     |
| D15     | 910             | 863              | %           | %        | W     |
| D17     | 838             | 785              | FRC140      | Peep SAI | %     |
| D18     | 919             | 868              | %           | %        | W     |
| D19     | 1980            | 1465             | %           | %        | %     |
| D20     | 2475            | 1446             | FRC140      | Peep SAI | %     |
| D21     | 1000            | 874              | FRC140      | Peep SAI | %     |
| D22     | 745             | 698              | FRC140      | %        | SAI   |
| D23     | 838             | 785              | FRC140      | Peep SAI | %     |

**KEY**  
 % - Not applicable  
 FRC140 - 54mm thick fire resisting door - overhead fire door closer, all items to door and to be fire appropriate fire rated (hinges, closer etc)  
 LNK - Lock, no key, thumbturn release room side  
 LOCK - Key lock  
 Peep - Glazed peep in door leaf. Door to have two series of arm clear glazing between 450mm & 800mm above floor level & between 1.10m & 1.55m above floor level.  
 PB - Full width push bar on inside of door  
 W - Draught & weather seals  
 SAI - Smoke & insulant seal fitted to door frame. Insulant seal draught slip fitted to bottom of door

SIDE ELEVATION 1:100



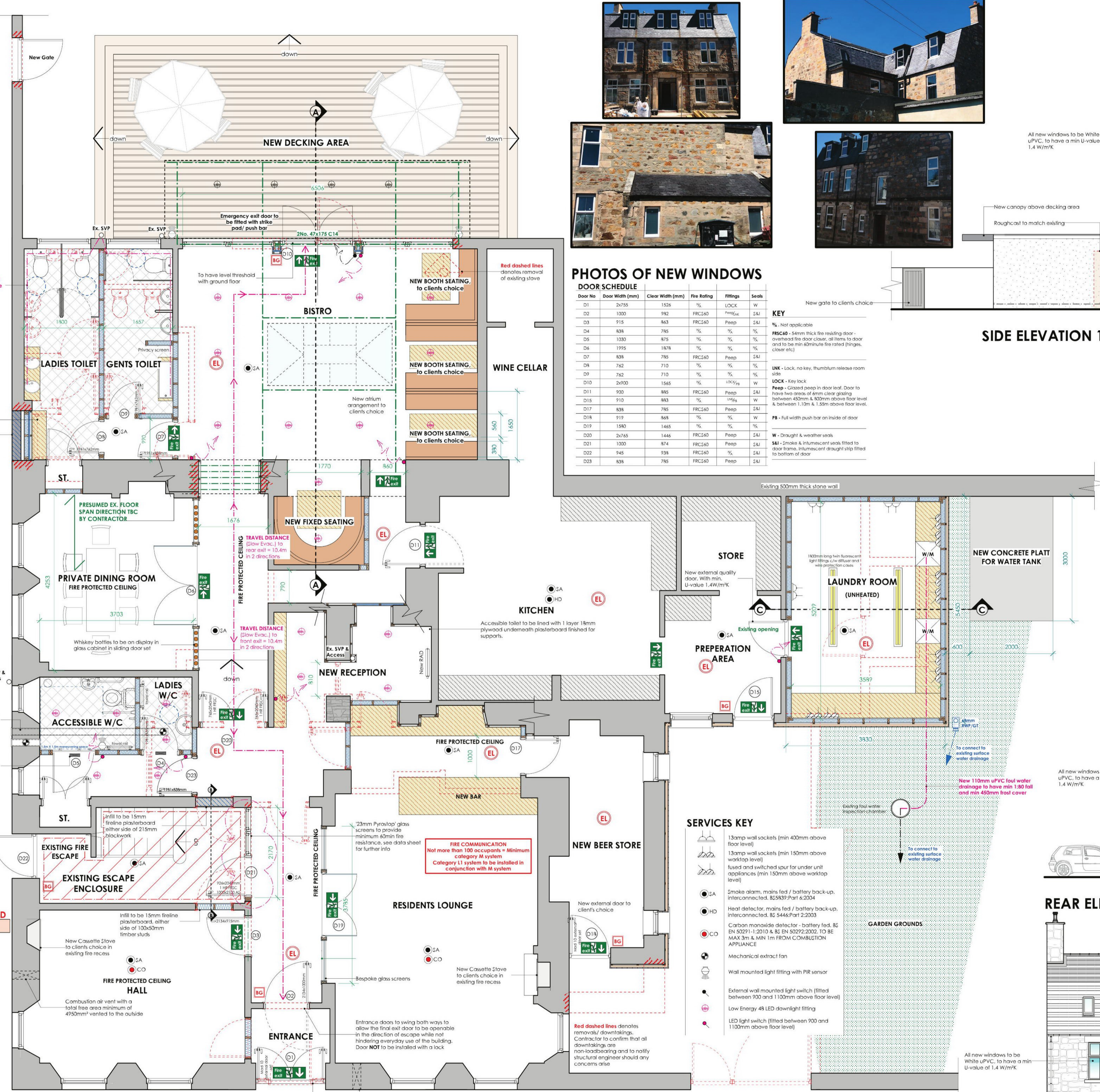
FRONT ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100



GROUND FLOOR PLAN 1:50

SERVICES KEY

- 13amp wall sockets (min 400mm above floor level)
- 13amp wall sockets (min 150mm above worktop level)
- fused and switched spur for under unit appliances (min 150mm above worktop level)
- Smoke alarm, mains fed / battery back-up, interconnected, BS5839 Part 6:2004
- Heat detector, mains fed / battery back-up, interconnected, BS 5446 Part 2:2003
- Carbon monoxide detector - battery fed, BS EN 50291-1:2010 & BS EN 50292:2002. TO BE MAX 3m & MIN 1m FROM COMBUSTION APPLIANCE
- Mechanical extract fan
- Wall mounted light fitting with PIR sensor
- External wall mounted light switch (fitted between 900 and 1100mm above floor level)
- Low Energy 49 LED downlight fitting
- LED light switch (fitted between 900 and 1100mm above floor level)

Town & Country Planning (Scotland) Act, 1997 as amended  
**REFUSED**  
 18 October 2019  
 Development Management  
 Environmental Services  
 The Moray Council

**cmdesign** architectural consultants

HEAD OFFICE - MORAY  
 51 Brendans, 69 South Guildry Street, Elgin, IV30 1QN  
 01343 540020

HIGHLANDS  
 4 Bridge Street, Naim, Highlands, IV12 4EJ  
 01467 300230  
 m 0781 3872818 w cmdesign.biz e office@cmdesign.biz

LOSSIEMOUTH OFFICE  
 Elgin, James Street, Moray, IV30 6BX  
 01343 810175  
 DEVON OFFICE  
 01392 345566

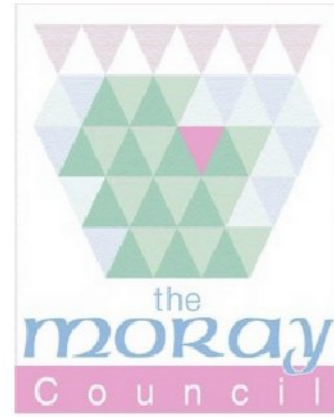
Mr. & Mrs. Murray  
 Proposed refurbishment at Archiestown Hotel, The Square, Moray

**Detailed Proposals**  
 Ground Floor Plan & Elevations

Date: 10.06.19 Amendments: 28.06.19 Replacement Windows 06.09.19 Cladding amendment  
 Drawn By: Dom Meila Date: 25.10.18 Checked By: Date:

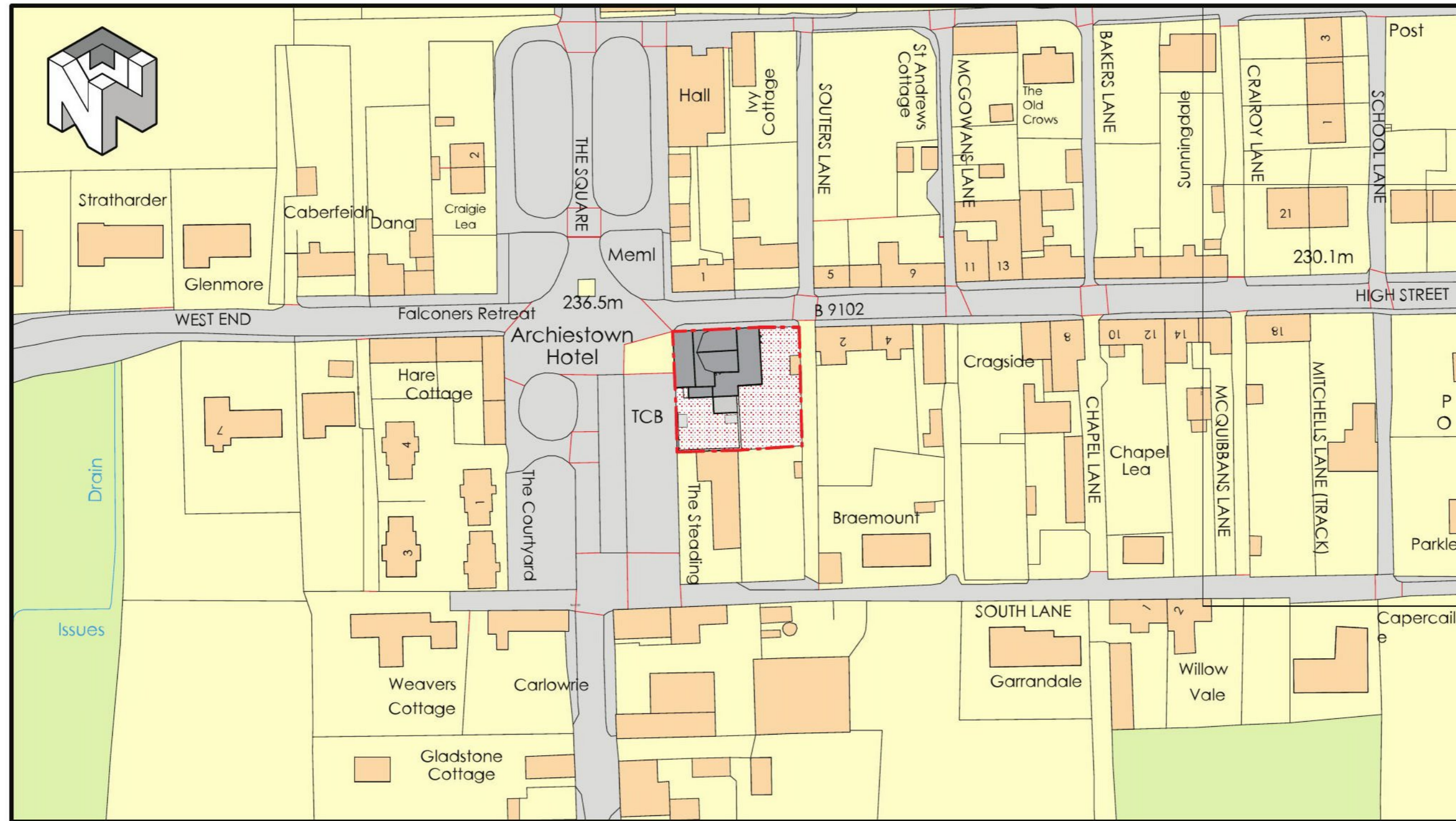
180081.MURRAY.05BW J





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AMENDED PLANS



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LOCATION PLAN 1:1000

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

**REFUSED**

18 October 2019

Development Management  
Environmental Services  
The Moray Council

cmdesign architectural consultants

**HEAD OFFICE - MORAY**  
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**LOSSIEMOUTH OFFICE**  
Ellel, James Street, Moray, IV30 6BX  
t 01343 810175

**DEVON OFFICE**  
t 01392 345566

Mr. & Mrs. Murray

Proposed development at Archiestown Hotel, Moray

Survey Drawing  
Location Plan

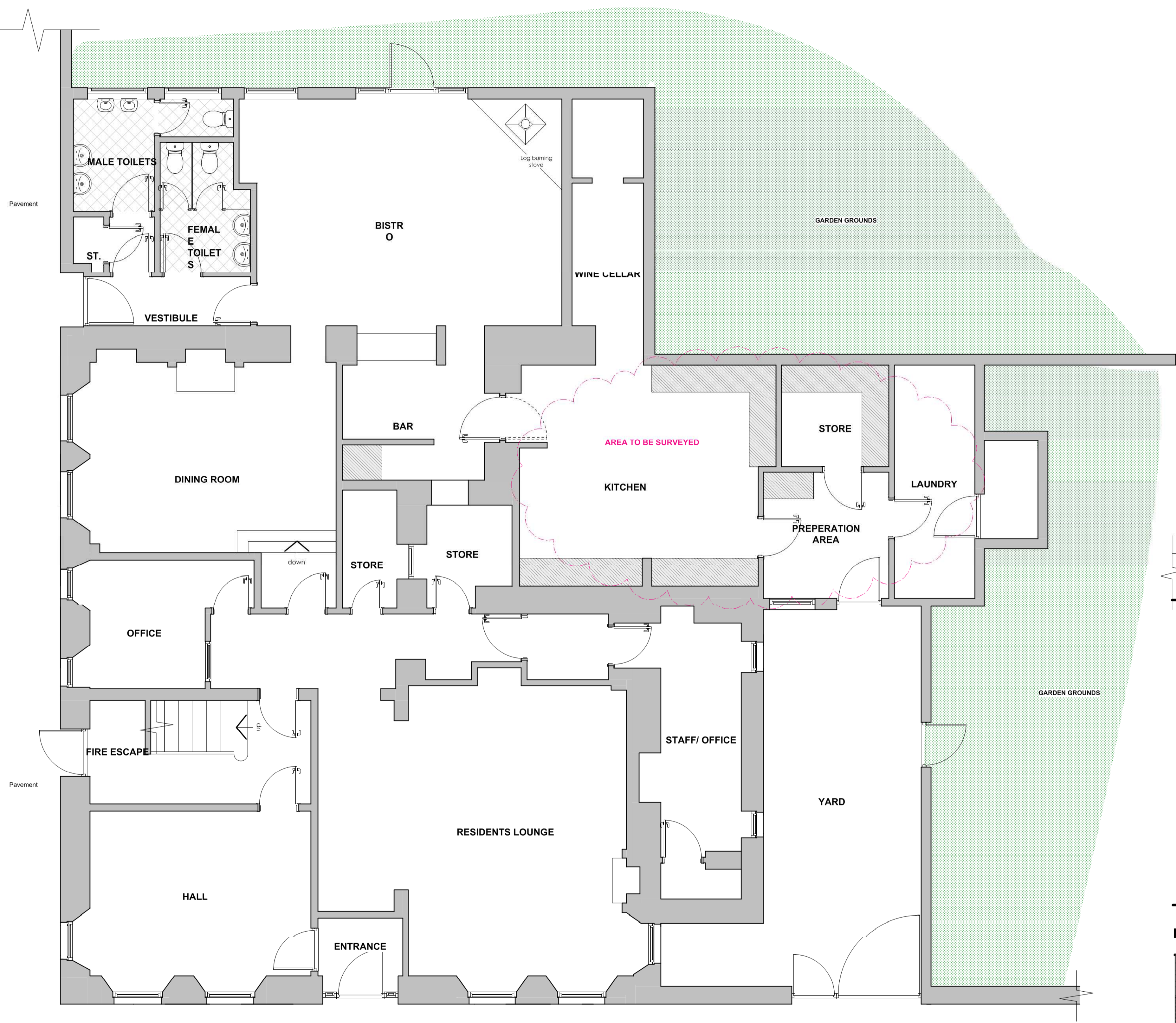
| Date:    | Amendments:        | Rev: |
|----------|--------------------|------|
| 06.09.19 | General Amendments | A    |

| Drawn By: | Date:    | Checked By: | Date: |
|-----------|----------|-------------|-------|
| Dom Melia | 06.09.19 |             |       |

180081.MURRAY.02SV A



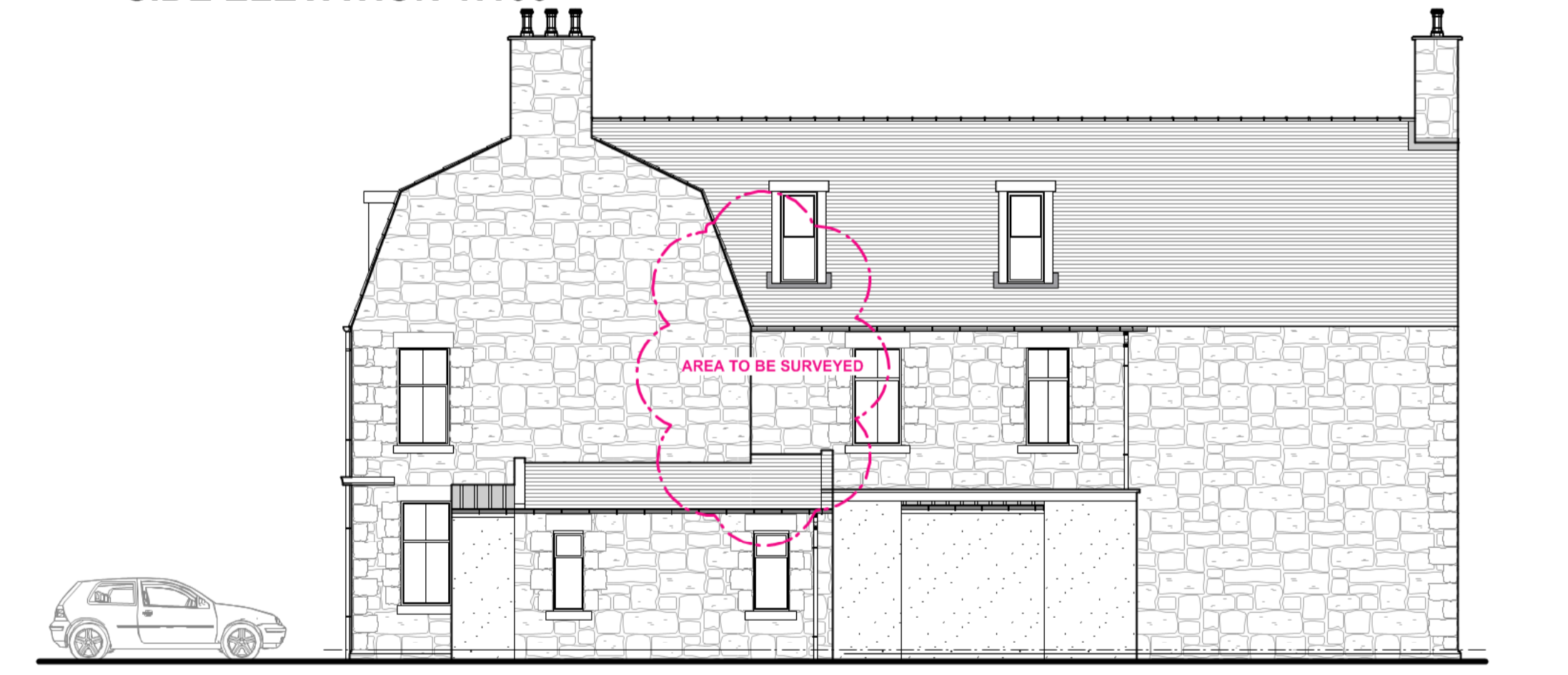
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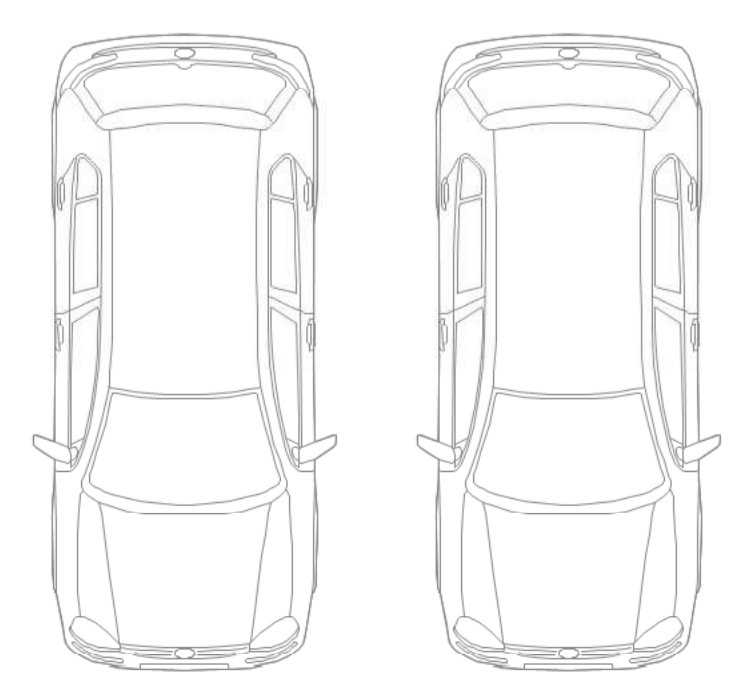
GROUND FLOOR PLAN 1:50



SIDE ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100

**cmdesign**  
 architectural consultants

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 Ellet, James Street, Moray, IV30 6BX  
 101343 810175

**DEVON OFFICE**  
 101392 345566

**Mr. & Mrs. Murray**

Proposed development at Archiestown Hotel, Moray

**Survey Drawing**  
 Ground Floor Plan & Elevations

Date: Amendments: Rev:

Drawn By: Dom Mella Date: 8.10.18 Checked By: Date:

**180081.MURRAY.01SV**





# Consultee Comments for Planning Application 19/01014/APP

## Application Summary

Application Number: 19/01014/APP

Address: Archiestown Hotel The Square Archiestown Aberlour Moray AB38 7QL

Proposal: Install new windows internal alterations and laundry wing replacement at

Case Officer: Craig Wilson

## 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

Adrian Muscutt



# Consultee Comments for Planning Application 19/01014/APP

## Application Summary

Application Number: 19/01014/APP

Address: Archiestown Hotel The Square Archiestown Aberlour Moray AB38 7QL

Proposal: Install new windows internal alterations and laundry wing replacement at

Case Officer: Craig Wilson

## 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 - Allan Park



## Consultation Request Notification

|  |   |
|--|---|
| <b>Planning Authority Name</b>                               | Moray Council   |
| <b>Response Date</b>   | 11th September 2019   |
| <b>Planning Authority Reference</b>                          | 19/01014/APP  |
| <b>Nature of Proposal (Description)</b>                      | Install new windows internal alterations and laundry wing replacement at  |
| <b>Site</b>  | Archiestown Hotel<br>The Square<br>Archiestown<br>Aberlour<br>Moray<br>AB38 7QL   |
| <b>Site Postcode</b>   | N/A   |
| <b>Site Gazetteer UPRN</b>                                   | 000133034731  |
| <b>Proposal Location Easting</b>                             | 322985  |
| <b>Proposal Location Northing</b>                            | 844158  |
| <b>Area of application site (M<sup>2</sup>)</b>              | 850   |
| <b>Additional Comment</b>                                    |   |
| <b>Development Hierarchy Level</b>                           | LOCAL   |
| <b>Supporting Documentation URL</b>                          | <a href="https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=PWBFIGBGG9I00">https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=PWBFIGBGG9I00</a> |
| <b>Previous Application</b>                                  | 18/01489/ID<br>06/02824/FUL<br>01/00997/FUL   |
| <b>Date of Consultation</b>                                  | 28th August 2019  |
| <b>Is this a re-consultation of an existing application?</b> | No  |
| <b>Applicant Name</b>  | The Dowans Hotel  |
| <b>Applicant Organisation Name</b>                           |   |
| <b>Applicant Address</b>                                     | The Dowans Hotel<br>Aberlour<br>Scotland<br>AB38 9LS  |
| <b>Agent Name</b>  | C M Design  |
| <b>Agent Organisation Name</b>                               |   |
| <b>Agent Address</b>   | St Brendans<br>69 South Guildry Street<br>Elgin<br>Moray<br>IV30 1QN  |
| <b>Agent Phone Number</b>                                    |   |
| <b>Agent Email Address</b>                                   | N/A   |
| <b>Case Officer</b>  | Craig Wilson  |
| <b>Case Officer Phone number</b>                             | 01343 563565  |

|                                   |                                    |
|-----------------------------------|------------------------------------|
| <b>Case Officer email address</b> | craig.wilson@moray.gov.uk          |
| <b>PA Response To</b>             | 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](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](http://www.moray.gov.uk/moray_standard/page_119859.html)

You can contact our Data Protection Officer at [info@moray.gov.uk](mailto: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: 19/01014/APP**

**Install new windows internal alterations and laundry wing replacement at Archiestown Hotel The Square Archiestown Aberlour for The Dowans Hotel**

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

- |   | <b>Please</b>                       |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <input type="checkbox"/>            |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal            | <input type="checkbox"/>            |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input checked="" type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/>            |

*Note: This proposal is for alterations and laundry wing replacement, and includes the formation of a new gated pedestrian access onto the Public Road.*

#### **Condition(s)**

1. The opening path of the new entrance gate shall be fully contained within the site and not encroach onto/over the public footway. No alterations to the level of the public footway would be permitted at this location.

Reason: To ensure acceptable development in the interests of road safety.

#### **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 developer should note that the area to the front of the Hotel (parking area adjacent to The Square) is private and is not adopted by the Roads 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](mailto:roadspermits@moray.gov.uk)

A street lighting column (with signs attached) is located in close proximity to the proposed new gated entrance, and may require to be relocated. The developer should contact the Roads Authority Street Lighting Section at Ashgrove Depot, Elgin – Tel (01343) 557300,

Ext 7327 to discuss the proposals. If required, the street lighting column (and signs) shall be repositioned at the expense of the developer.

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 be responsible for ensuring that surface/ground water does not run from the public road into their property.

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**  
**email address: [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)**  
**Consultee: TRANSPORTATION**

**Date 04 September 2019**

**Return response to**

**[consultation.planning@moray.gov.uk](mailto: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.



## DRAINAGE STATEMENT

INSTALL NEW WINDOWS, INTERNAL ALTERATIONS & REPLACEMENT LAUNDRY ROOM AT  
ARCHIESTOWN HOTEL, THE SQUARE, ABERLOUR, MORAY, AB38 7QL

Ref: 19/01014/APP

### INTRODUCTION:

This Drainage Statement has been prepared by CM Design Architectural & Planning Consultants in response to a recent schedule received from the Moray Council Planning Department, who seek to steer development away from areas at risk of flooding and to ensure that any new development does not impact upon flooding issues in Moray.

Scottish Planning Policy (SPP) requires Planning Authorities to consider flood risk when an extension of a non-householder under 100m<sup>2</sup> is submitted for approval. This Drainage Statement confirms there to be no flood risk issues on the application site whatsoever.

### SITE DESCRIPTION:

The proposed site is situated at **Archiestown Hotel, The Square, Aberlour, Moray, AB38 7QL**. The site equates to 886m<sup>2</sup>.

The SEPA Flood Maps have been consulted which indicate that there is **no risk of flooding**.

The proposed development relates to the need for new windows, internal alterations & a replacement laundry room extension.

### DRAINAGE DESIGN/SITE CONDITIONS:

There has been no excavations or percolation tests carried out on site as we propose to connect the foul & surface water drainage to the existing public water system.

The existing laundry room has an approx. roof area of 15m<sup>2</sup>, the replacement extension has a proposed roof area of 21m<sup>2</sup>. As this is a nominal increase in roof area, this merits connection to the same surface water arrangement as the previous laundry room.

Equally all foul water from the laundry room will be directed to existing infrastructure.

We trust this Drainage Statement alleviates any flooding concerns.

Sincerely yours,

**DOMINIC MELIA**

ARCHITECTURAL TECHNICIAN

[DOMINIC@CMDESIGN.BIZ](mailto:DOMINIC@CMDESIGN.BIZ)





## **REPORT OF HANDLING**

|                                      |  |                         |              |
|--------------------------------------|--|-------------------------|--------------|
| <b>Ref No:</b>                       | 19/01014/APP   | <b>Officer:</b>         | Craig Wilson |
| <b>Proposal Description/ Address</b> | Install new windows internal alterations and laundry wing replacement at Archiestown Hotel The Square Archiestown Aberlour |                         |              |
| <b>Date:</b>                         | 17.10.2019   | <b>Typist Initials:</b> | LMC          |

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

| <b>CONSULTATIONS</b>         |                      |   |
|------------------------------|----------------------|---|
| <b>Consultee</b>             | <b>Date Returned</b> | <b>Summary of Response</b>  |
| Environmental Health Manager | 29/08/19             | No objection or comment   |
| Contaminated Land            | 29/08/19             | No objection or comment   |
| Transportation Manager       | 04/09/19             | No objection subject to conditions on opening path of access gate and informative notes |

| <b>DEVELOPMENT PLAN POLICY</b>           |            |  |
|--|------------|--|
| <b>Policies</b>                          | <b>Dep</b> | <b>Any Comments (or refer to Observations below)</b> |
| PP3: Placemaking                         |            |  |
| ED8: Tourism Facilities and Accommodatio |            |  |
| BE2: Listed Buildings                    |            |  |
| BE3: Conservation Areas                  |            |  |
| EP9: Contaminated Land                   |            |  |
| IMP1: Developer Requirements             |            |  |
| T2: Provision of Access                  |            |  |
| T5: Parking Standards                    |            |  |
| PP1 Placemaking                          |            |  |
| EP8 Historic Environment                 |            |  |
| DP1 Development Principles               |            |  |
| EP9 Conservation Areas                   |            |  |

|                        |  |  |
|------------------------|--|--|
| EP10 Listed Buildings. |  |  |
|------------------------|--|--|

| <b>REPRESENTATIONS</b>  |  |    |
|---|--|----|
| Representations Received  |  | NO |
| Total number of representations received                        |  |    |
| Names/Addresses of parties submitting representations           |  |    |
| Summary and Assessment of main issues raised by representations |  |    |
| Issue:  |  |    |
| Comments (PO):  |  |    |

## **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 2015 (MLDP) unless material considerations indicate otherwise. On 18 December 2018, at a special meeting of the Planning and Regulatory Services Committee, the Proposed Moray Local Development Plan 2020 was approved as the "settled view" of the Council and minimal weight will be given to it, with the 2015 MLDP being the primary consideration.

On 25 June 2019 the Planning & Regulatory Services Committee agreed to give greater weight to sites within the proposed Plan which are not subject to the Examination process from 1 August 2019. In this case the proposal is not subject to an allocated site.

### **Proposal**

The application seeks retrospective planning permission to replace the windows of the Archiestown Hotel and to add laundry wing replacement.

### **Site**

The Archiestown Hotel is a traditional Victorian stone and slate country house style building located within the village square. The square and surrounding area is also a designated Conservation Area.

Archiestown is a small rural farming village located above the Spey Valley with an abundance of traditional architecture that combines to provide its distinctive character. In recognition of its historic heritage, the heart of the village is designated as a Conservation Area.

### **Policy Assessment**

#### **Conservation Area and Amenity (BE3 & IMP1)**

The application will be assessed principally against policies IMP1 and BE3. Policies IMP1 requires new developments to be sensitively sited, designed and serviced appropriate to the amenity of the existing property and wider locality. Policy BE3 requires new development within conservation areas to preserve and enhance the character and appearance of the subject area, having regard to scale, height, materials, colour, detailed design and use.

### **Windows**

As outlined, the previous timber windows have been removed and have been replaced with white uPVC windows. The windows (which were removed without consent) appear to have been original and were a very attractive architectural feature of the building and part of the historic evolution of the building. The modifications would therefore be seriously damaging to features of special architectural and historic interest which the building possesses. Moray Council Replacement Windows & Doors

Guidance is clear in that the use of non-traditional materials such as uPVC will not be acceptable in traditional buildings.

The replacement uPVC window units in this instance do not represent an appropriate form of development for the conservation area or for the principal elevation of a prominent building within it, and does not satisfy the design requirements of the above policy provisions. There is a need to preserve the character and appearance of Archiestown and of the buildings which contribute to its qualities. Reinstating timber double glazed sash window units would go some way to achieving this aim and is supported by the replacement windows and doors guidance.

The vast majority of properties within Archiestown Conservation Area, in particular the square in which the hotel is located, still retain timber windows on the front or street elevations. These are characteristic of, and a very attractive component of the historic streetscape. Timber windows and doors play an important role particularly in vernacular architecture where they are the dominant elements. Where building frontages have been modified with modern uPVC framing this has damaged the appearance and architectural character of the historic streetscape leading to the erosion of historic fabric. This application is assessed on its own merits, and against current policy.

In order to preserve the character and appearance of the Conservation Area, replacement windows and doors on all elevations of unlisted traditional properties within conservation areas should match the original proportions, appearance, materials, and opening method.

In terms of the amenity of the surrounding area, the material finish of the proposed replacement windows is unsympathetic and by being prominent would fail to preserve or enhance conservation area.

#### **Laundry room**

The proposed alterations to the hotel also include the replacement of the existing laundry wing with new structure. The proposed scale, form and massing of the extension is not contested. Had approval been granted a condition would have been imposed that the cladding was timber and not concrete cladding in order to preserve and enhance the character of the conservation area.

#### **Conclusion**

The retention of timber sash and case windows replicating the historic style of windows is seen as a way of preserving both the historic appearance and fabric of the building and therefore its character. Modern day standards of insulation can be applied to historic buildings whilst minimising changes to its character and it is therefore vitally important to ensure that alterations to buildings are as historically accurate as possible. Furthermore, the replacement windows guidance is quite clear that the use of non-traditional materials such as UPVC on principal elevations will not be acceptable.

The proposed uPVC replacement windows would be damaging to features of special architectural and historic interest which the building possesses and they would also be out of character and injurious to the appearance of the historic street in which the building is located. Application is recommended for refusal.

### **OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT**

None

#### **HISTORY**

| <b>Reference No.</b> | <b>Description</b>   |
|----------------------|--|
| 18/01489/ID          | Internal and external alterations at Archiestown Hotel The Square Archiestown Aberlour Moray |

|              |   |                              |                         |          |
|--------------|---|------------------------------|-------------------------|----------|
|              | <b>Decision</b>   | Planning Permission Required | <b>Date Of Decision</b> | 08/02/19 |
| 06/02824/FUL | Convert and extend outbuildings to form two dwellings at Archiestown Hotel The Square Archiestown Aberlour Moray  |                              |                         |          |
|              | <b>Decision</b>   | Permitted                    | <b>Date Of Decision</b> | 28/02/07 |
| 01/00997/FUL | Minor internal alterations and extension to bistro and kitchen at Archiestown Hotel Archiestown Aberlour Banffshire AB38 7QX  |                              |                         |          |
|              | <b>Decision</b>   | Permitted                    | <b>Date Of Decision</b> | 17/10/01 |
| 01/00691/FUL | Retrospective application to site a portacabin (placed there 1991) for residential staff accommodation for 7-8 months of year at Archiestown Hotel Archiestown Aberlour Banffshire AB38 7QX |                              |                         |          |
|              | <b>Decision</b>   | Permitted                    | <b>Date Of Decision</b> | 05/09/01 |
| 00/00717/FUL | Convert and change the use of garage block to letting rooms at Archiestown Hotel Archiestown Aberlour Banffshire AB38 7QX   |                              |                         |          |
|              | <b>Decision</b>   | Permitted                    | <b>Date Of Decision</b> | 14/06/00 |
| 91/01328/FUL | Convert existing lock-up garages to hotel annex for paying guests at Archiestown Hotel Archiestown Aberlour Banffshire AB38 7QX   |                              |                         |          |
|              | <b>Decision</b>   | Permitted                    | <b>Date Of Decision</b> | 10/02/92 |

| <b>ADVERT</b>           |                                      |                       |
|-------------------------|--------------------------------------|-----------------------|
| <b>Advert Fee paid?</b> | <b>Yes</b>                           |                       |
| <b>Local Newspaper</b>  | <b>Reason for Advert</b>             | <b>Date of expiry</b> |
| Northern Scot           | Planning application affecting LB/CA | 26/09/19              |
| PINS                    | Planning application affecting LB/CA | 26/09/19              |

| <b>DEVELOPER CONTRIBUTIONS (PGU)</b> |            |
|--------------------------------------|------------|
| <b>Status</b>                        | <b>N/A</b> |

| <b>DOCUMENTS, ASSESSMENTS etc. *</b>  |  |    |
|---|--|----|
| <i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i> |  |    |
| Supporting information submitted with application?  |  | NO |
| Summary of main issues raised in each statement/assessment/report   |  |    |
| Document Name:  |  |    |
| Main Issues:  |  |    |

|                       |  |  |
|-----------------------|--|--|
| <b>S.75 AGREEMENT</b> |  |  |
|-----------------------|--|--|

|  |  |    |
|--|--|----|
| Application subject to S.75 Agreement                      |  | NO |
| Summary of terms of agreement:                             |  |    |
| Location where terms or summary of terms can be inspected: |  |    |

|   |  |  |  |
|---|--|--|--|
| <b>DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)</b> |  |  |  |
|---|--|--|--|

|                         |   |  |    |
|-------------------------|---|--|----|
| 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) |   |  |    |





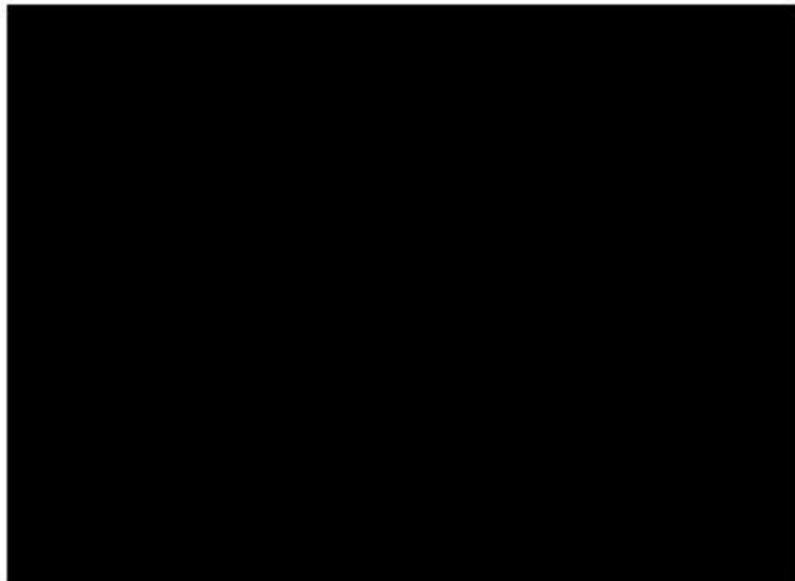


MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended

REFUSAL OF PLANNING PERMISSION

[Speyside Glenlivet]  
Application for Planning Permission

TO

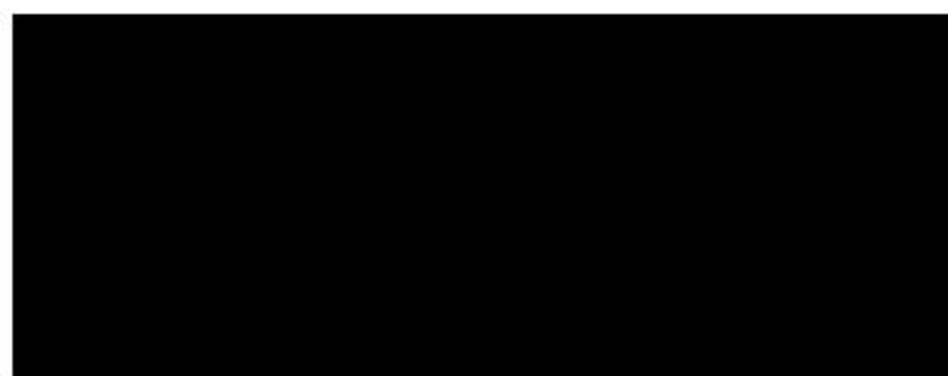


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Install new windows internal alterations and laundry wing replacement at Archiestown Hotel The Square Archiestown Aberlour**

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

Date of Notice: **18 October 2019**



**HEAD OF DEVELOPMENT SERVICES**

Environmental Services Department  
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 provisions of the adopted Moray Local Development Plan 2015 (Policies BE3, H4 & IMP1) and should be refused for the following reasons:

- The proposal is contrary to Policy BE3 as the use of modern UPVC units would fail to preserve or enhance the character of the building or conservation area.
- The proposed replacement windows would introduce a visually intrusive feature into the historic streetscape. The design and material finish of the proposed replacement windows is unsympathetic and by being prominent would fail to preserve or enhance conservation area.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

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

| <b>Reference</b>   | <b>Version</b> | <b>Title</b>                     |
|--------------------|----------------|----------------------------------|
| 180081.MURRAY.05BW | J              | Elevations and ground floor plan |
| 180081.MURRAT.025V | A              | Location 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](http://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.

