



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@srem ltd.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@srem ltd.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?

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)? *

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?? * Yes No
(e.g. SUDS arrangements) *

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.

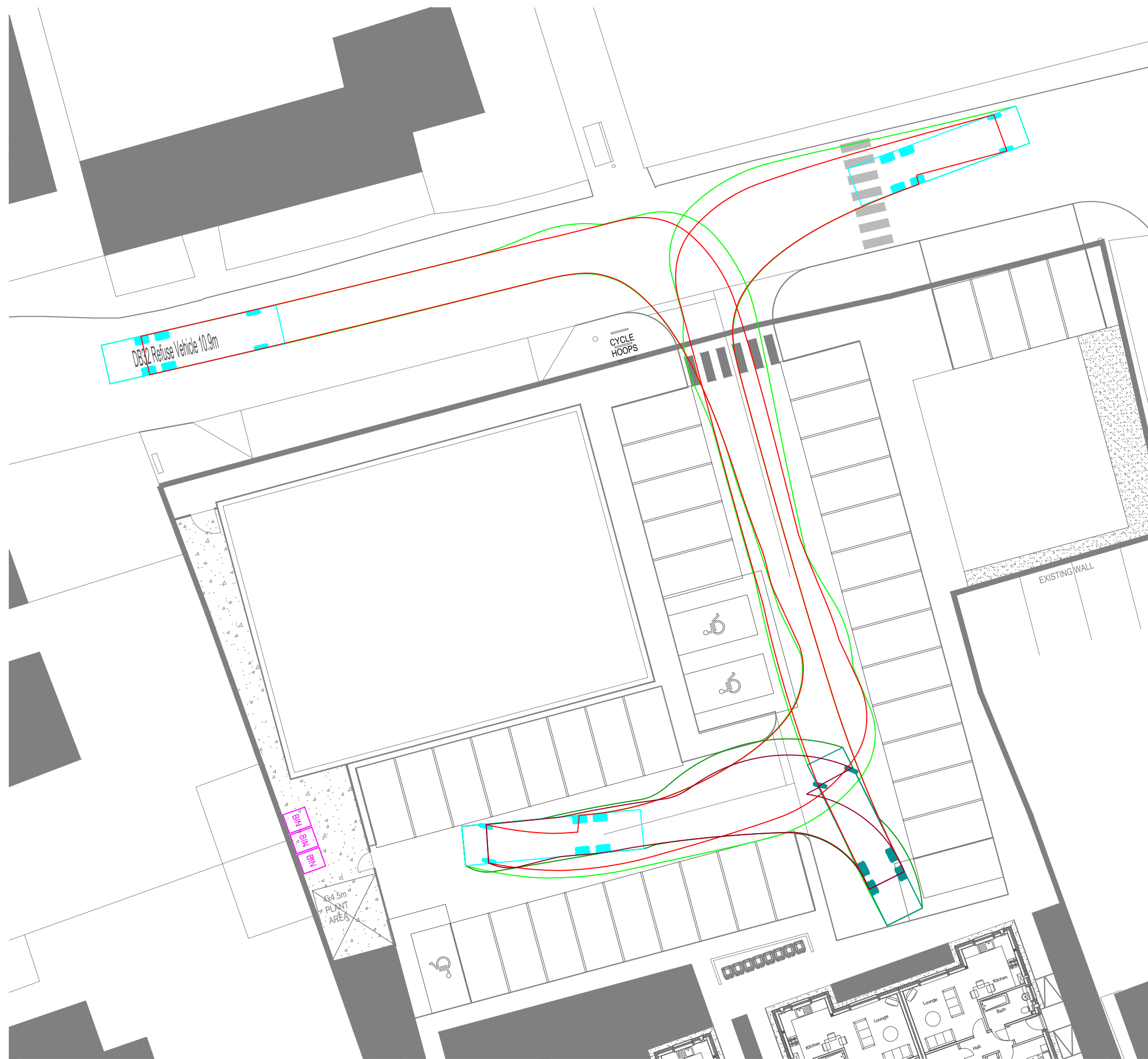
Declaration Name: Mrs Victoria Mungall

Declaration Date: 06/04/2020

Payment Details

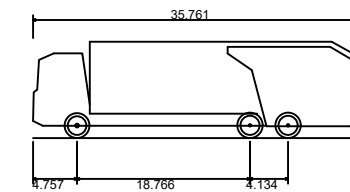
Telephone Payment Reference:

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

THE INFORMATION CONTAINED ON THIS DRAWING IS CONFIDENTIAL UNLESS AGREED OTHERWISE (BY A RELEVANT CONTRACT OR IN WRITING) THIS DRAWING SHALL REMAIN THE PROPERTY OF MACLEOD & JORDAN LTD. WITHOUT PRIOR AGREEMENT THE DRAWING SHOULD NOT BE USED FOR ANY OTHER PURPOSE THAN THAT AGREED, NOR SHOULD THE DRAWING BE REPRODUCED, IN WHOLE, OR PART, OR PASSED ONTO ANY THIRD PARTY.



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

Project No. 15424	Drawing No. 1002	Rev. A
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Important notes for clients/contractors
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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



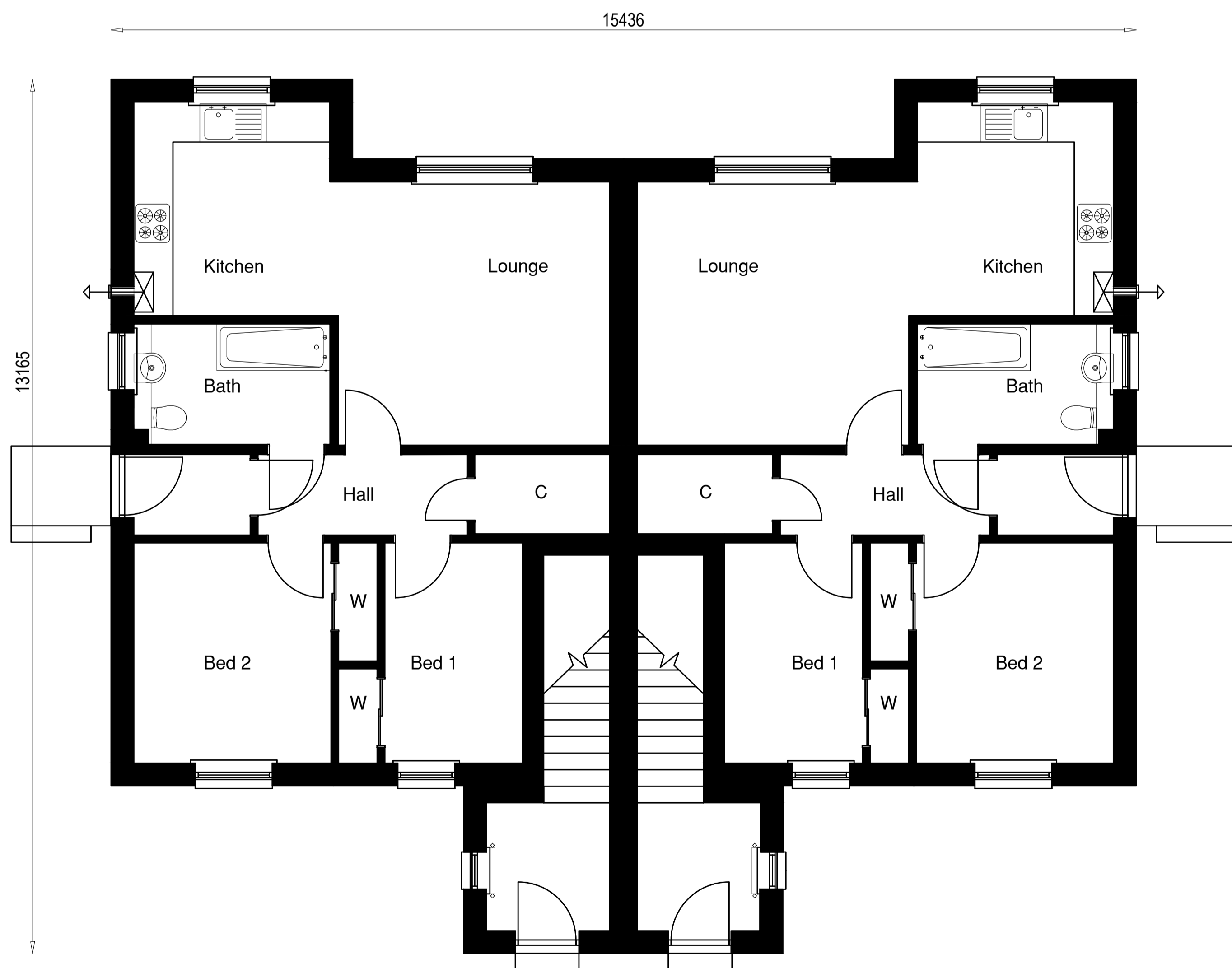
Rear Elevation 1:100

Side Elevation 1:100



Front Elevation 1:100

Side Elevation 1:100



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 1:50 / 1:100 Date 10/07.2020 Drawn by SM Checked by 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	26.03.20	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

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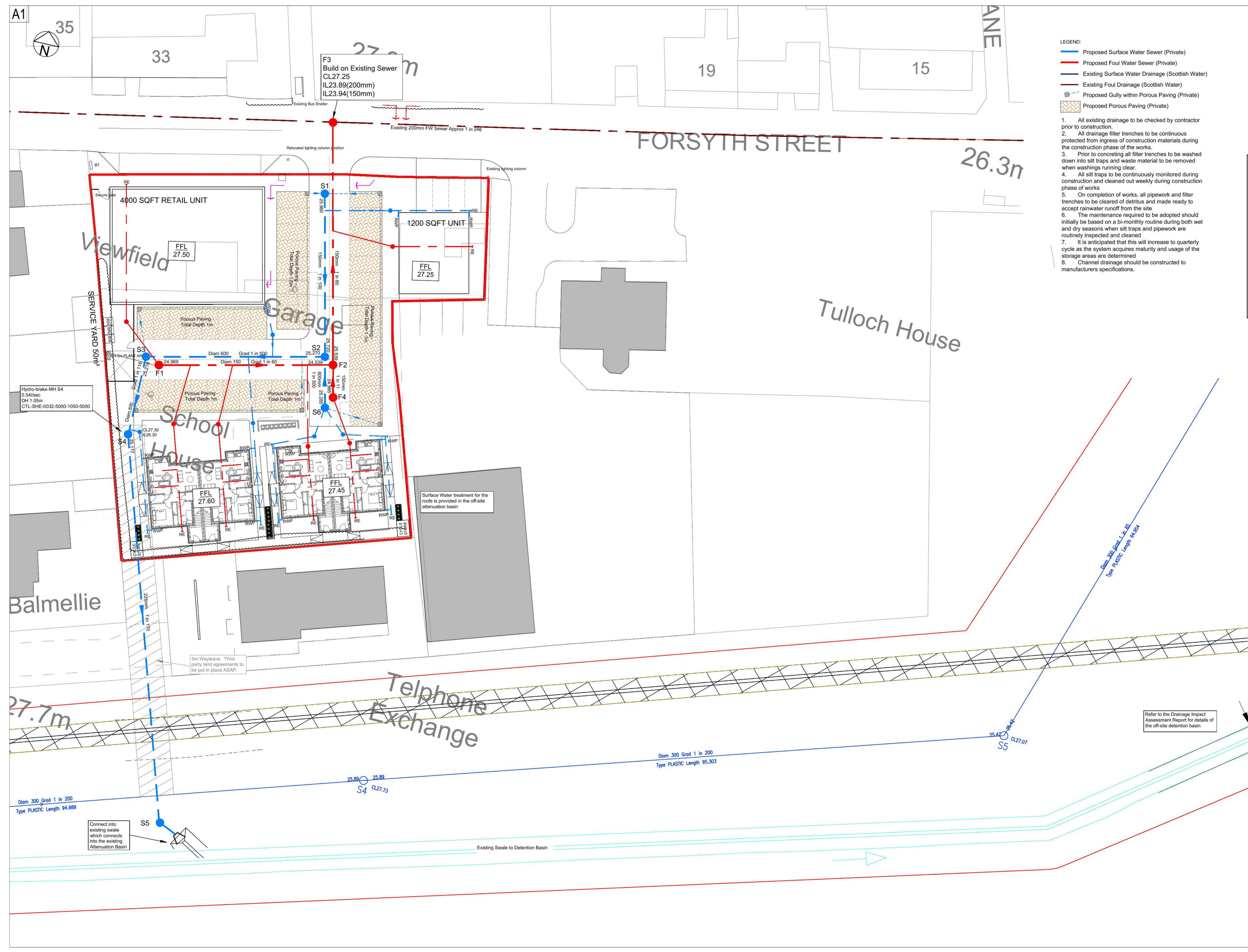
4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

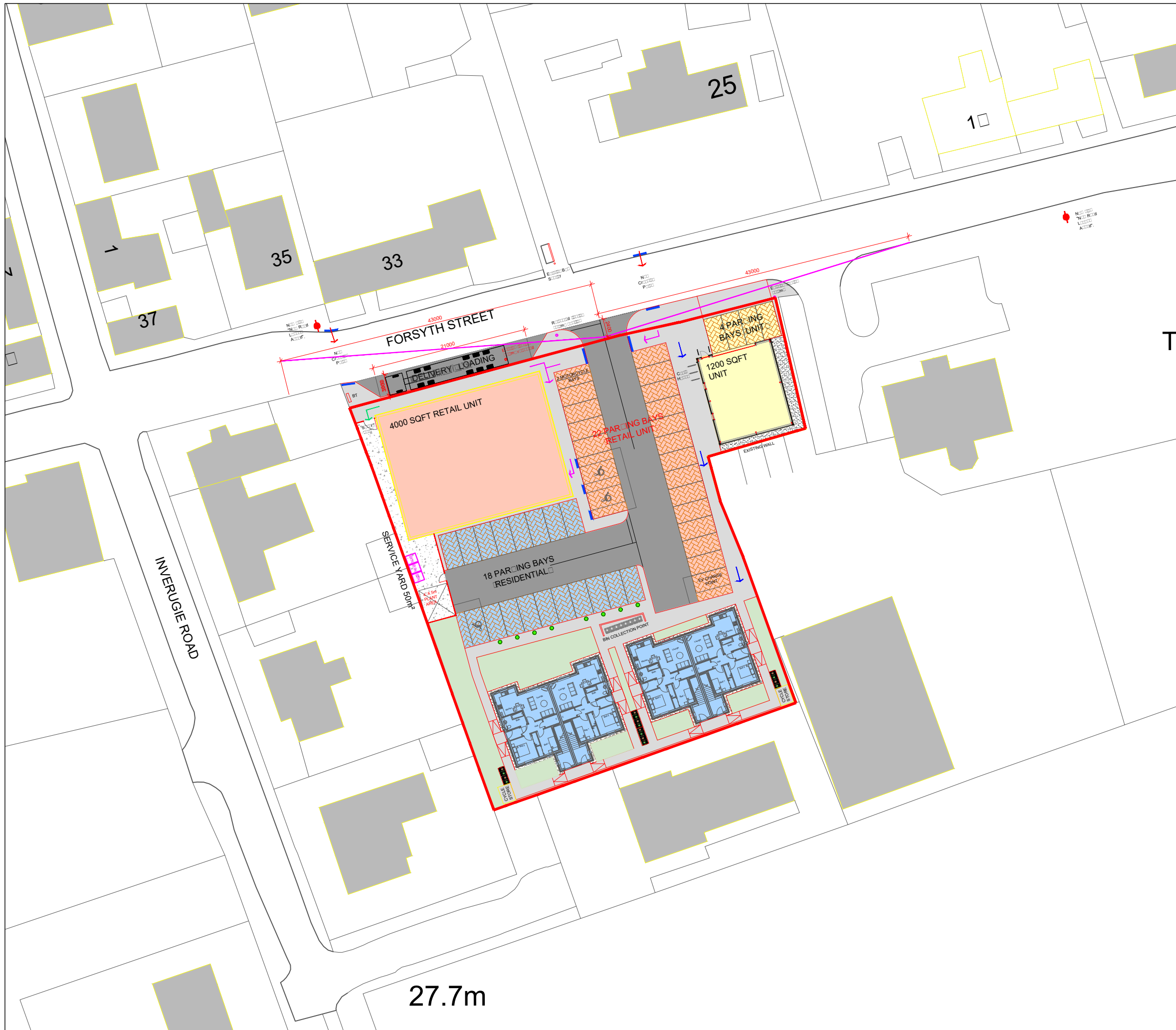
Project
RETAIL UNIT, STARTER UNIT AND FLATS
FORSYTH STREET
HOPEMAN

Drawing
PROPOSED DRAINAGE LAYOUT

Scale	Date	Drawn by	Checked by
1:250	26.03.20	PD	

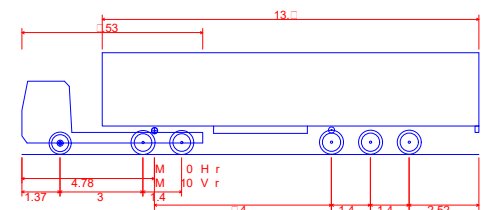
Drawing no.	Rev
10045-C-201	C





B:1:1250 M:2017
 ECS Transport Planning Ltd, 38, Queen Street,
 Glasgow, G1 3DX. L:AL 10005505

N:1:1
 V:2.4m 43m



M:1.500m
 O:2.550m
 O:3.81m
 M:0.411m
 M:2.500m
 L:0.00m
 C:0.530m

REV	DATE	AMENDMENTS	DRAWN	CH	APP

ECS Transport Planning Ltd
 38 Queen Street
 Glasgow
 G1 3DX



T:0844 443 034
 E:

SPRINGFIELD REAL ESTATE
 MANAGEMENT LTD

PROPOSED MIXED USE
 DEVELOPMENT, FORSYTH
 STREET, HOPEMAN

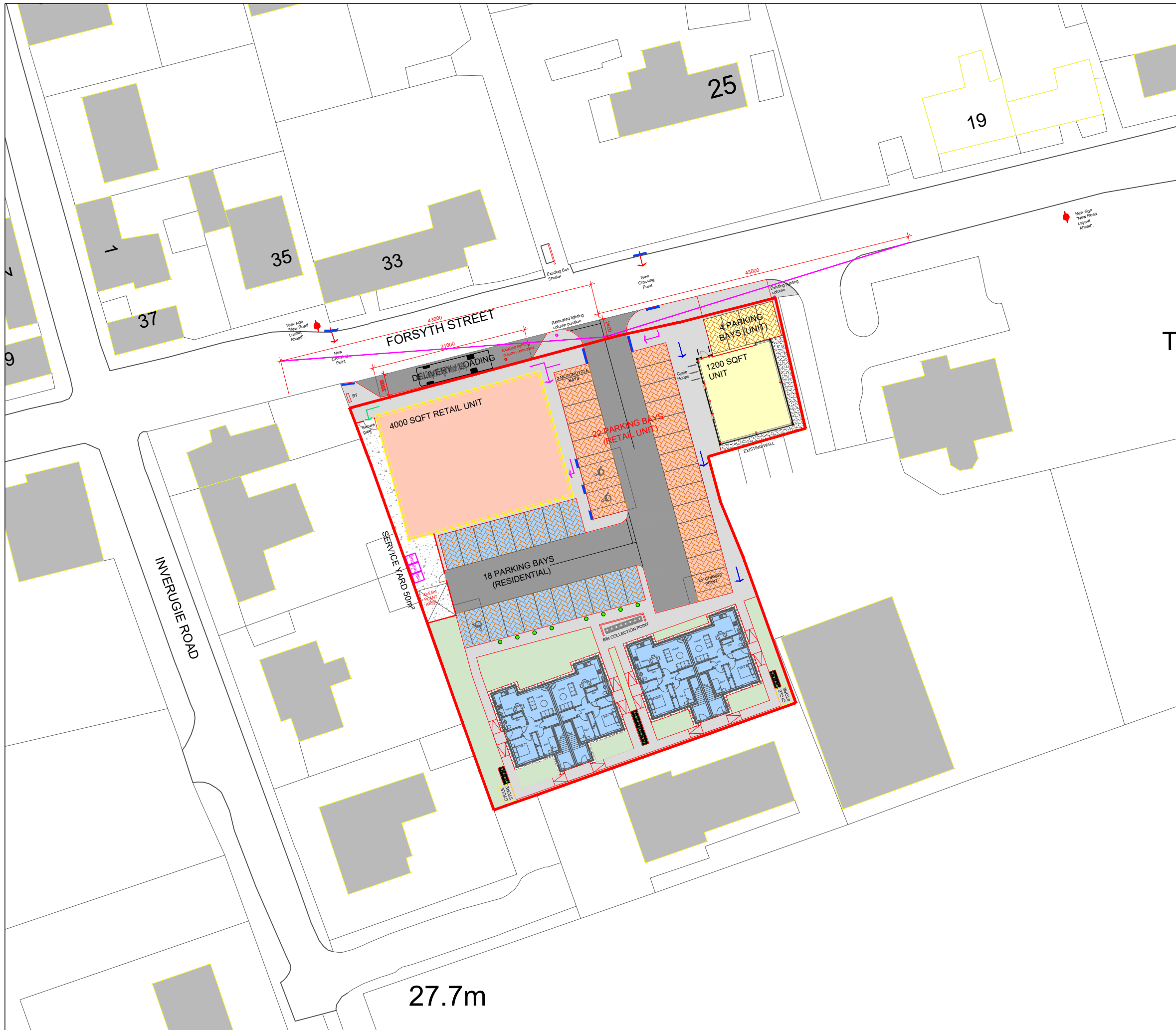
INDICATIVE ACCESS
 ARRANGEMENT

Room	Dr	Code	Access
	SS	MS	MS

Scale: 1:500
 Date: 03.02.21

Project No: 20044
 Drawing No: 20044-00

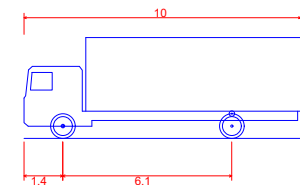
For Information: For Information
 For Approval: For Approval
 For Construction: For Construction
 As Built: As Built



Based upon the Ordnance Survey's (1:1250) Map of 2017 with permission of the controller of Her Majesty's Stationery Office, Crown copyright reserved. ECS Transport Planning Ltd, 38, Queen Street, Glasgow, G1 3DX. License No: AL 100055056.

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

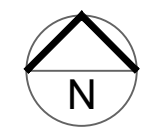
Project No.	Drawing No.	Rev
20044	20044_007	-

Purpose of Issue Preliminary For Tender For Construction
 _____ For Information For Approval As Built

ECS Transport Planning Ltd accept no responsibility for any unauthorised amendments to this drawing. Only figured dimensions are to be worked to. Do not scale from this drawing.

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PLANNING

LEGEND:
 - - - Site boundary.
 Site area:
 2693m² / 0.67 acres

Rev.	Date	Remarks	By	Ch.
Revisions				

SREM
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 0131 541 0133

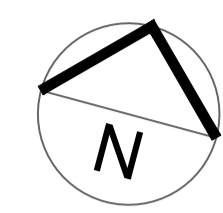
Project
 RETAIL UNIT, STARTER UNIT & FLATS
 FORSYTH STREET
 HOPEMAN

Drawing
 LOCATION PLAN

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

Drawing no.	Rev
L-001	-

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PLANNING

A1



LEGEND:

SITE BOUNDARY:
 AREA: 2 3m² 0.7 ACRES

GRASS:

SHRUB BEDDING

SPECIES	COMMON NAME	HEIGHT	SPACING	MIX
BUDDLEIA 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

SEMI MATURE SPECIMEN FEATURE TREES

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

HEAVY STANDARD TREES

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

Rev	Date	Remarks	By	Ch.
Revisions				

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Project
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 FORSYTH STREET
 HOPEMAN

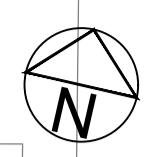
Drawing
 LANDSCAPING PLAN

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

Drawing no.	Rev
L-007	-



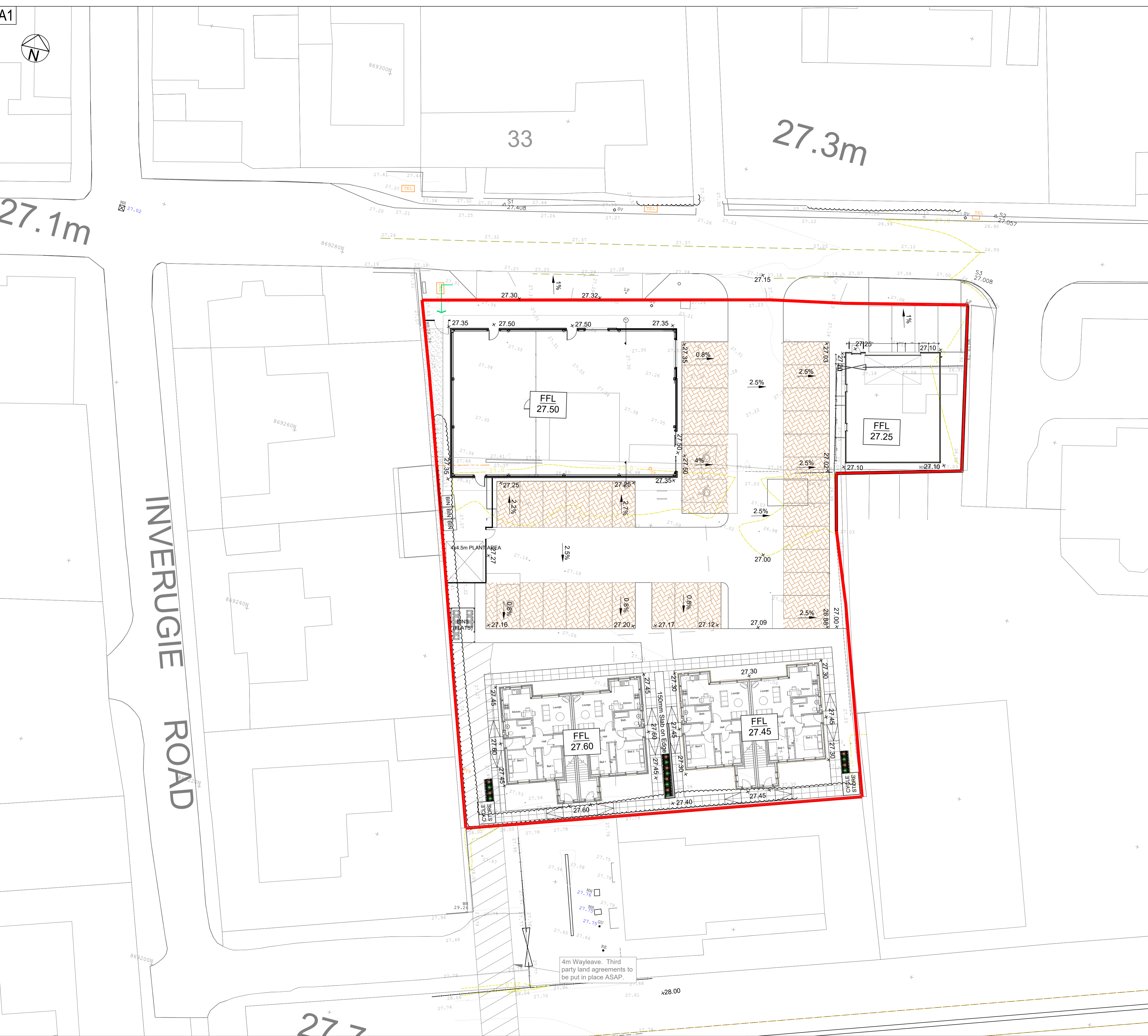
A1



27.1m

27.3m

INVERUGIE ROAD



LEGEND:

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

- All existing drainage to be checked by contractor prior to construction.
- All drainage filter trenches to be continuous protected from ingress of construction materials during the construction phase of the works.
- Prior to concreting all filter trenches to be washed down into silt traps and waste material to be removed when washings running clear.
- All silt traps to be continuously monitored during construction and cleaned out weekly during construction phase of works
- On completion of works, all pipework and filter trenches to be cleared of detritus and made ready to accept rainwater runoff from the site
- 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
- It is anticipated that this will increase to quarterly cycle as the system acquires maturity and usage of the storage areas are determined

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PLANNING

A	08.07.20	Layout revised: Levels updated	PD
Rev	Date	Remarks	By

Revisions

SREM

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Project
 RETAIL UNIT, STARTER UNIT AND FLATS
 FORSYTH STREET
 HOPEMAN

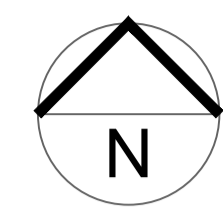
Drawing
PROPOSED LEVELS LAYOUT

Scale	Date	Drawn by	Checked by
1:200	26.03.20	PD	

Drawing no.	Rev
10045-C-301	A

4m Wayleave. Third party land agreements to be put in place ASAP.

Important notes for clients / contractors
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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 CURBS WITH TACTILE PAVING.
- NEW ROAD SIGN "NEW ROAD LAYOUT AHEAD".
- POTENTIAL EV CHARGE POINT.
- BIRD BOX.

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 mail 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 full top.	BRL	-
A	30.06.2020	Scheme revised for Planning.	BRL	-

SREM

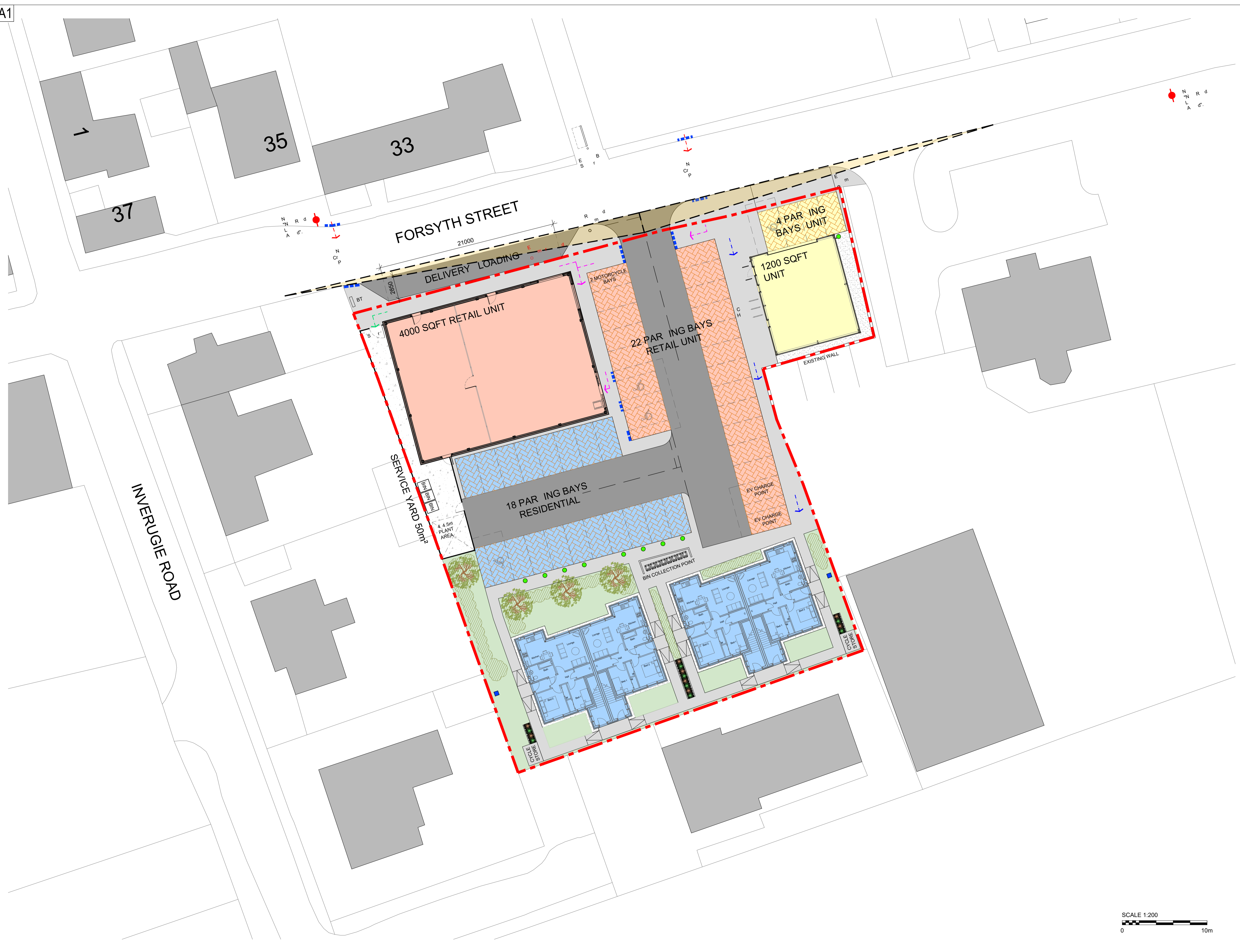
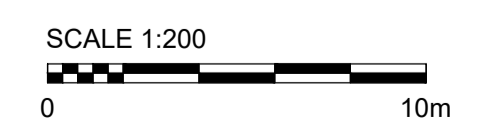
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Project
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 FORSYTH STREET
 HOPEMAN

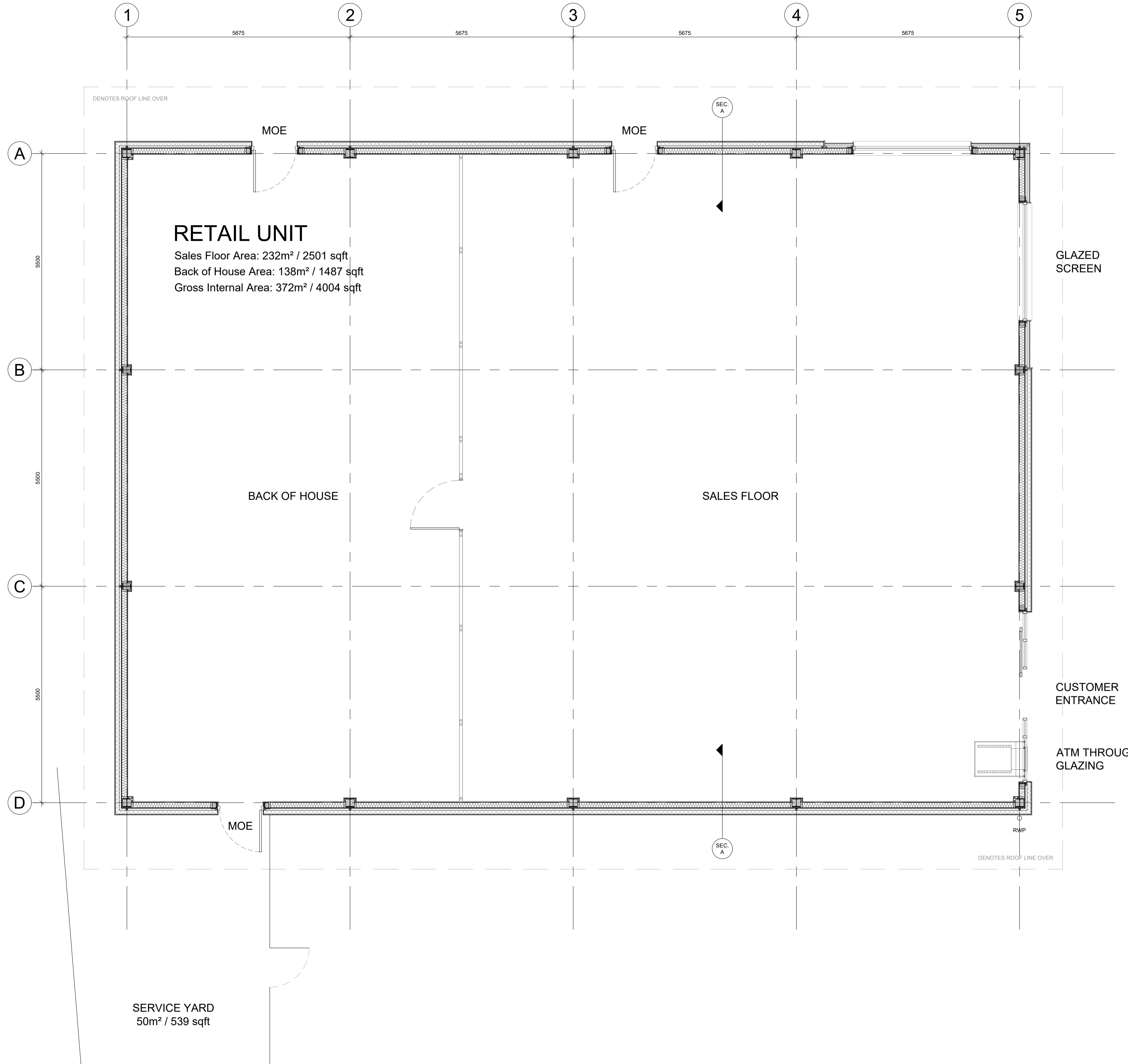
Drawing
 PROPOSED SITE PLAN

Scale	Date	Drawn by	Checked by
1:200	24.02.2020	BRL	VM
Drawing no.	Rev		
L-003	J		



A1

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

Revisions

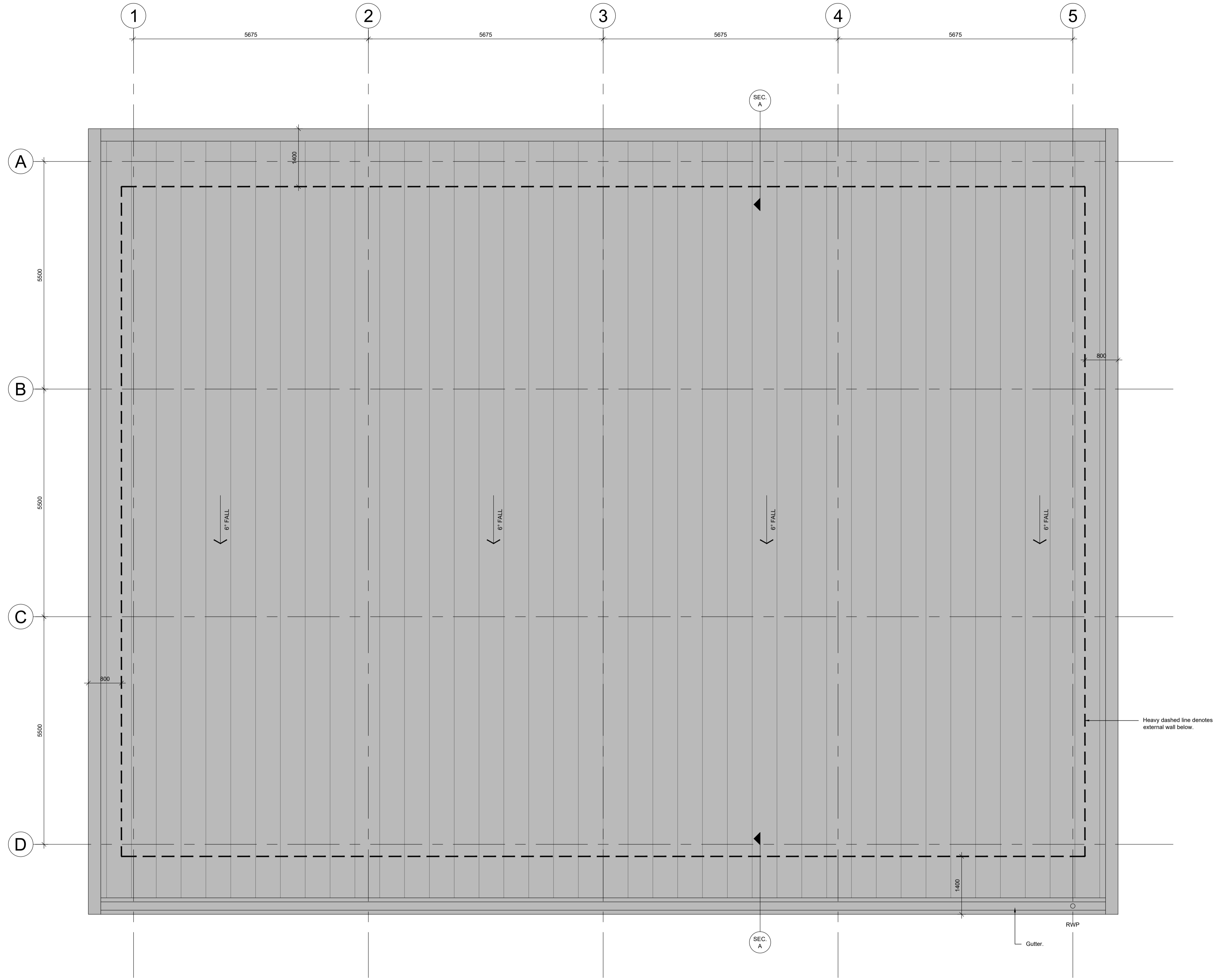
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Project RETAIL UNIT, STARTER UNIT & FLATS FORSYTH STREET HOPEMAN			
Drawing 4000 SQFT RETAIL UNIT GROUND FLOOR PLAN			
Scale 1:50	Date 21.02.2020	Drawn by BRL	Checked by VM
Drawing no. L-102			Rev A

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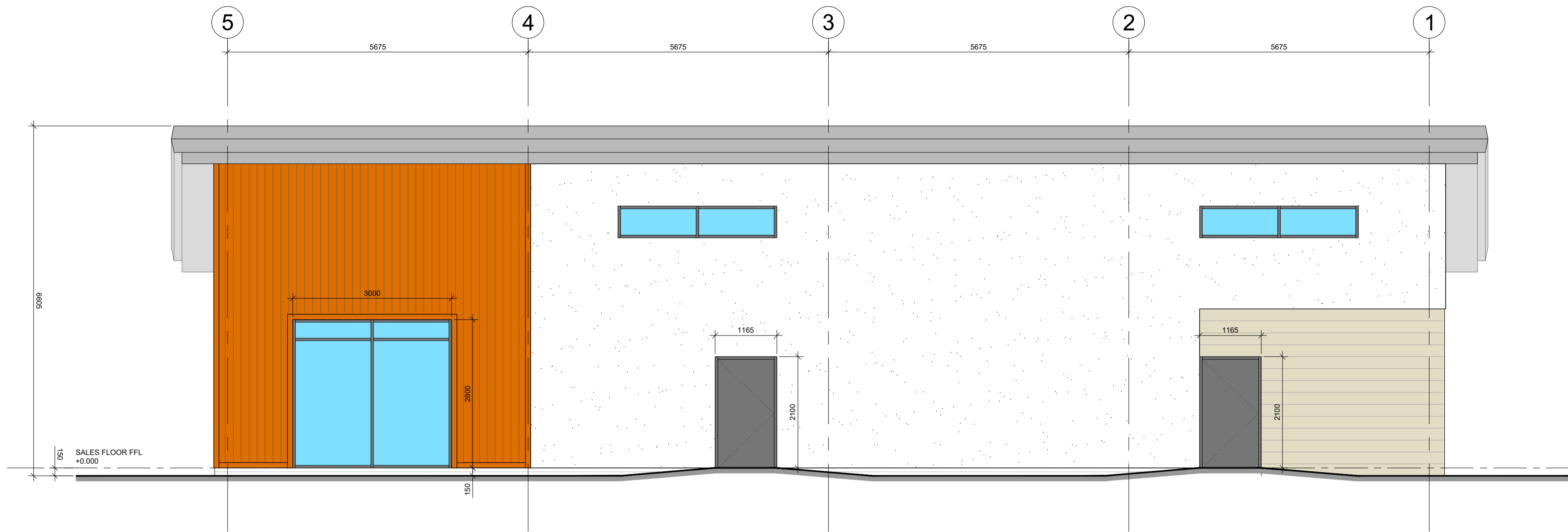
Rev.	Date	Remarks	By	Ch.
A	07.07.2020	General updates for planning.	BRL	

Revisions

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Project RETAIL UNIT, STARTER UNIT & FLATS FORSYTH STREET HOPEMAN			
Drawing 4000 SQFT RETAIL UNIT ROOF PLAN			
Scale 1:50	Date 21.02.2020	Drawn by BRL	Checked by VM
Drawing no. L-103	Rev A		


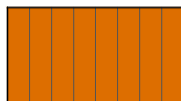
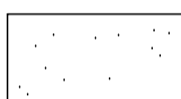

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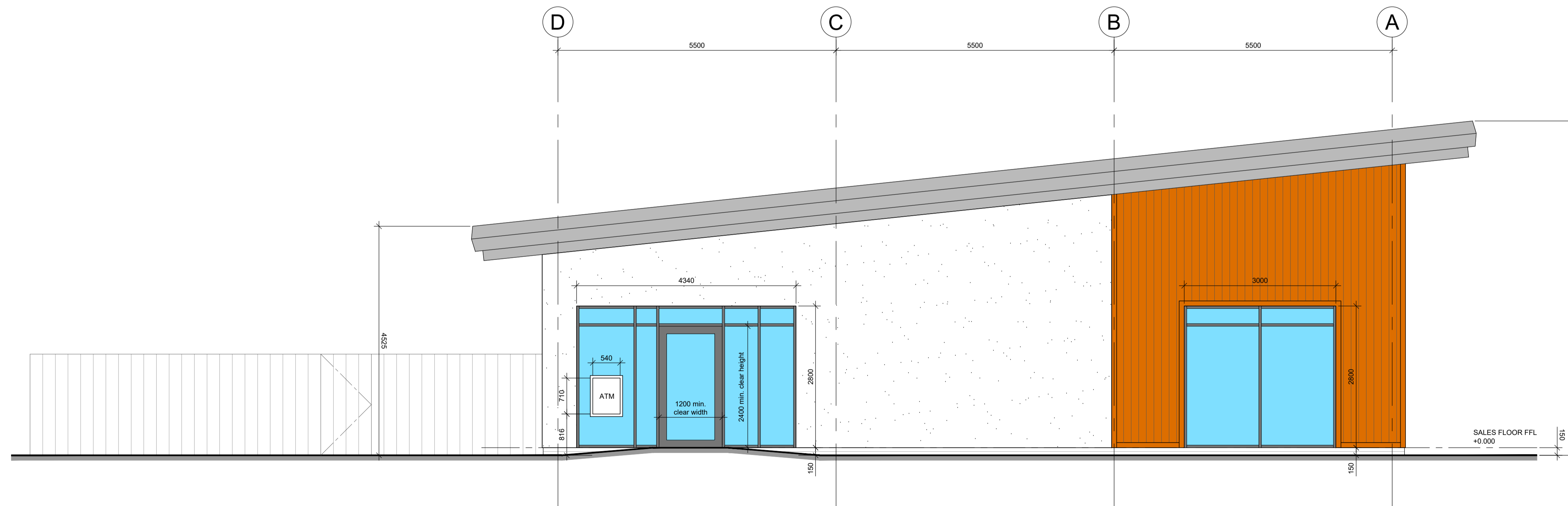


FORSYTH STREET ELEVATION

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	

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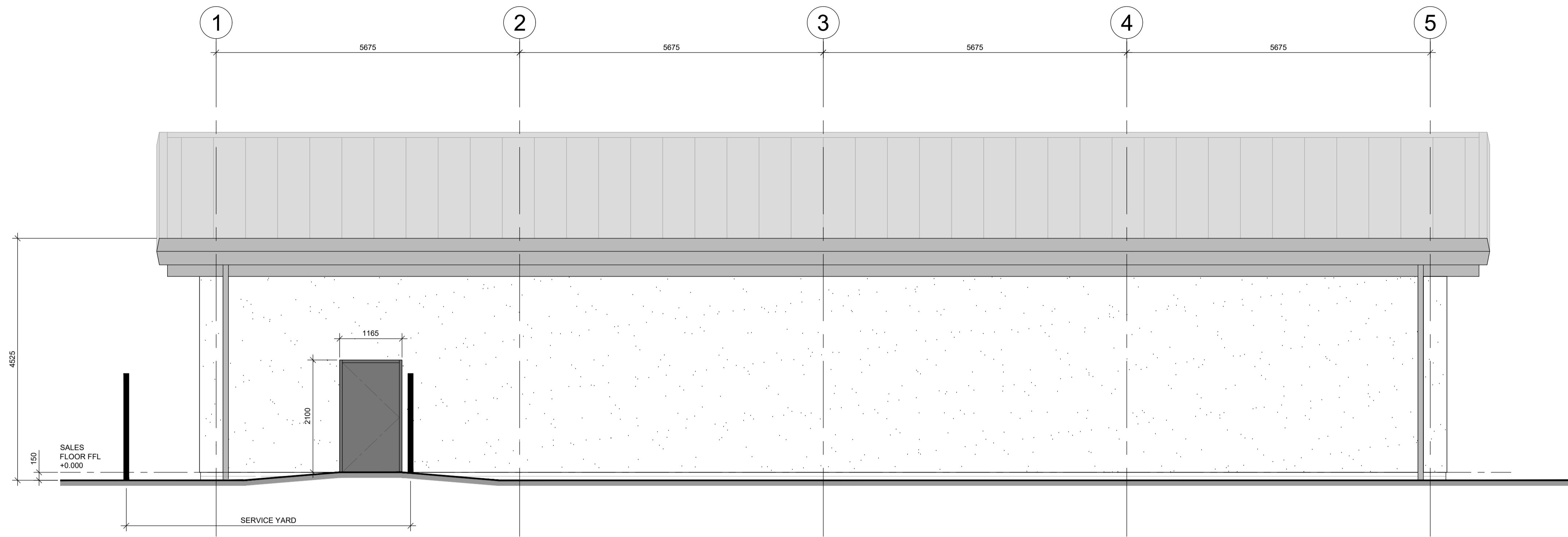
Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
4000 SQFT RETAIL UNIT
ELEVATIONS
SHEET 1

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

Drawing no. L-106 Rev A

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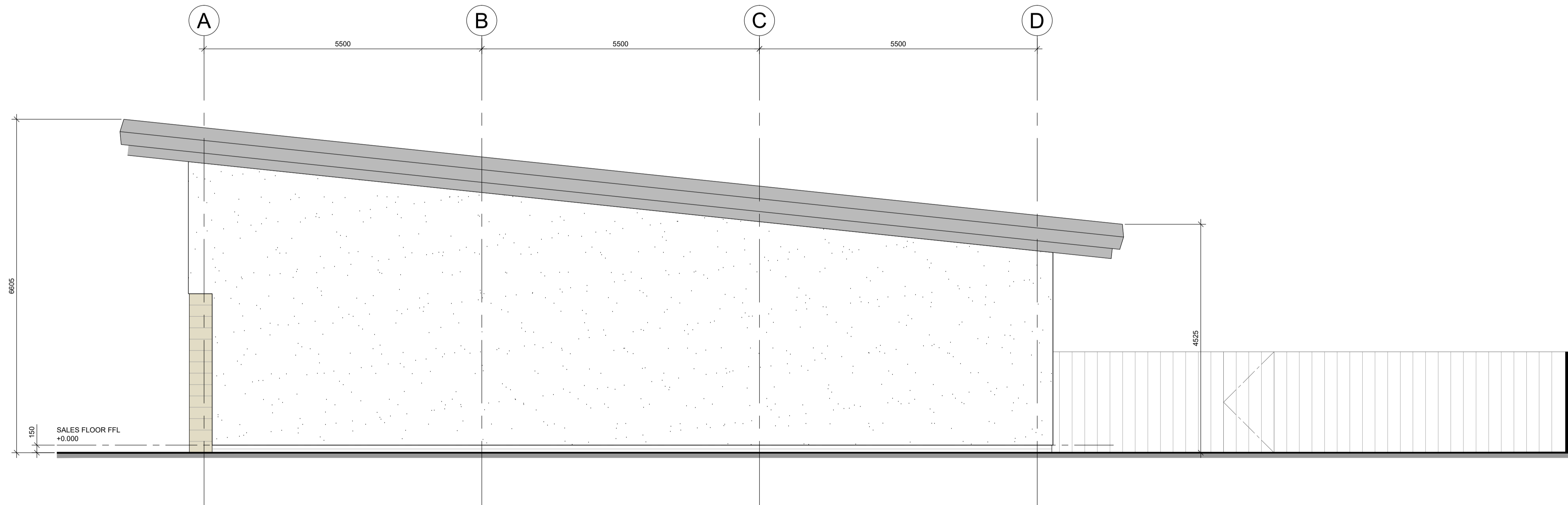


CAR PARK/ SERVICE YARD ELEVATION

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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FORSYTH STREET
HOPEMAN

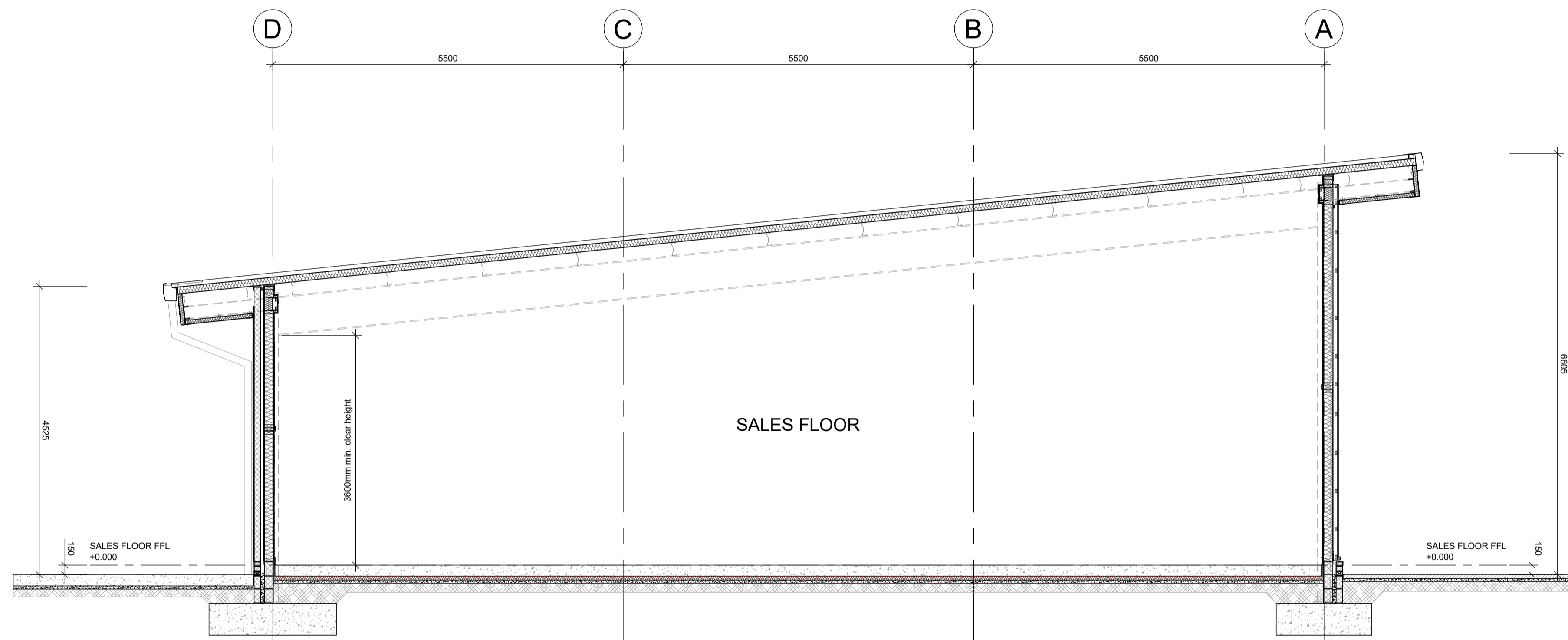
Drawing
4000 SQFT RETAIL UNIT
ELEVATIONS
SHEET 2

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

Drawing no. Rev
L-107 A

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PLANNING



SECTION A-A

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

Revisions

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Project
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FORSYTH STREET
HOPEMAN

Drawing
4000 SQFT RETAIL UNIT
SECTION A-A
-

Scale	Date	Drawn by	Checked by
1:50	24.02.2020	BRL	VM

Drawing no.	Rev
L-108	A

SPECIFICATION -**GENERAL:**

ALL CONSTRUCTION WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING 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.

- 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.
- 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.
- THE EXISTING SITE IS TO BE CHECKED TO DETERMINE THAT ALL SERVICES HAVE BEEN MADE SAFE AND HAVE BEEN DISCONNECTED.
- ANY CONTAMINATED GROUND IS TO BE MADE SAFE AND REMOVED FROM SITE BY A QUALIFIED CONTRACTOR.
- 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.
HDPPE PIPENWORK 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.
WASH 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 GULLY GRATES ARE TO BE SELECTED TO WITHSTAND THE WHEEL LOADINGS OF TRAFFIC.
ALL EXTERNAL GULLY AND CHANNEL GRATINGS ARE TO BE SELECTED TO PREVENT A HAZARD TO CUSTOMERS, CHILDREN, ANIMALS AND TROLLEY WHEELS.
ROAD 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/m ² K
FLOOR	0.20 W/m ² K
ROOF	0.15 W/m ² K
WINDOWS	1.60 W/m ² K
DOORS	1.60 W/m ² K

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).
32x250mm 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 ACHIEVE A MAX. U-VALUE OF 0.23 W/m²K.

WALL TYPE EX 2a (1 HOUR FIRE RATED)
145x23mm 'NORDIC SPRUCE' VERTICAL SHIPLAP EXTERNAL 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).
32x250mm 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.
2NO. SHEETS OF 15mm THICK PLASTERBOARD INTERNAL LINING. ALL JOINTS TO BE STAGGERED, 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 / 210mm OVERALL).
FIRE SAFE ECOSAFE POLYISOCYANURATE (PIR) TO COMPLY WITH THE LOSS PREVENTION CERTIFICATION BOARD REQUIREMENTS L.P.S. 1181 : PART 1: 2005.
FIXED TO 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 KINGSPAN 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 190mm 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 BS8202: 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: 1998 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.

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 OBSOURED.
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 ATIMA PUBLICATION 'MEASURING AIR PERMEABILITY OF BUILDING ENVELOPES' (<http://www.atima.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).
150x150mm 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 GULLY 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 GULLY 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.

Important notes for clients / contractors

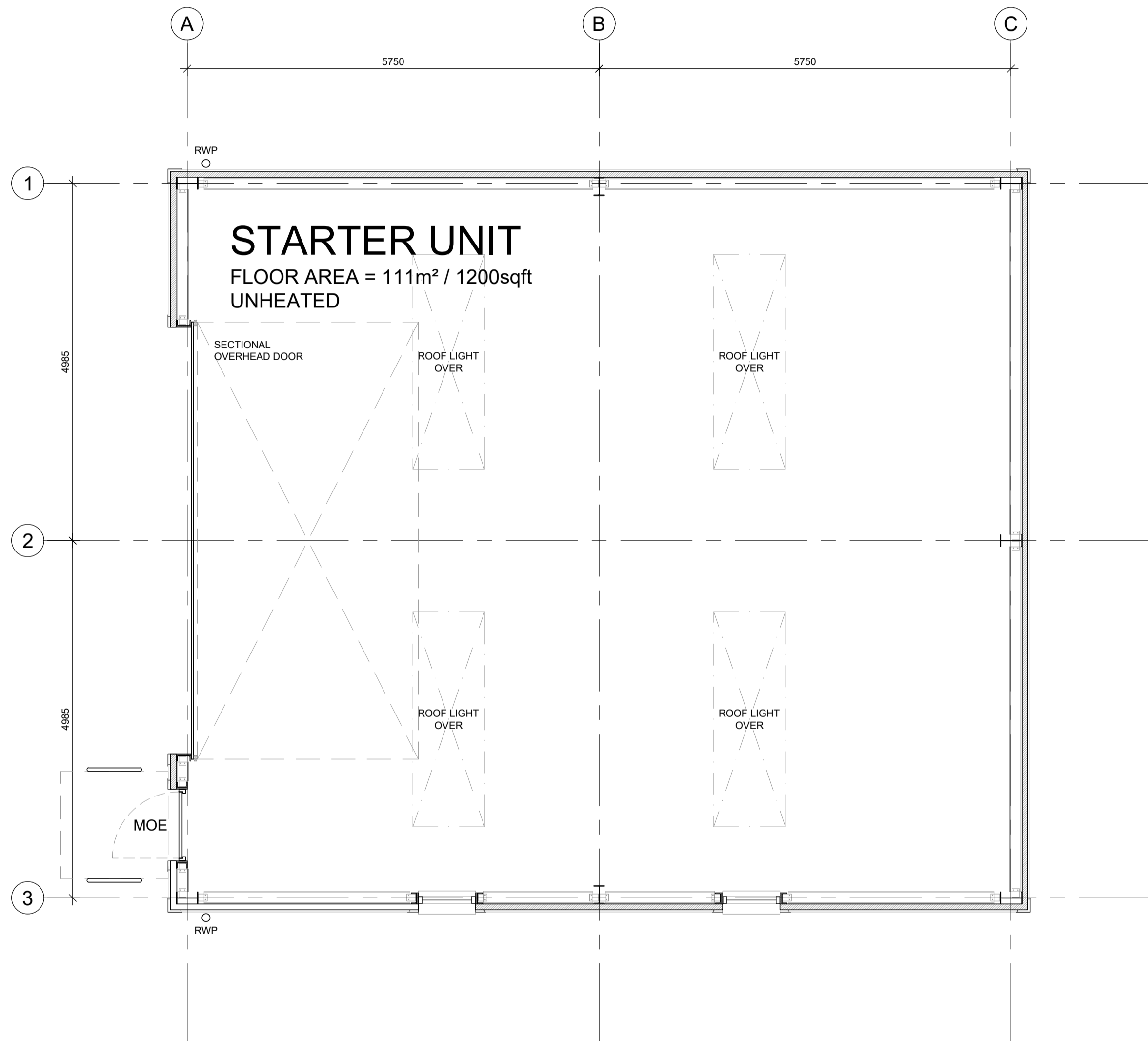
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. 'DO NOT SCALE'. The copyright of this 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

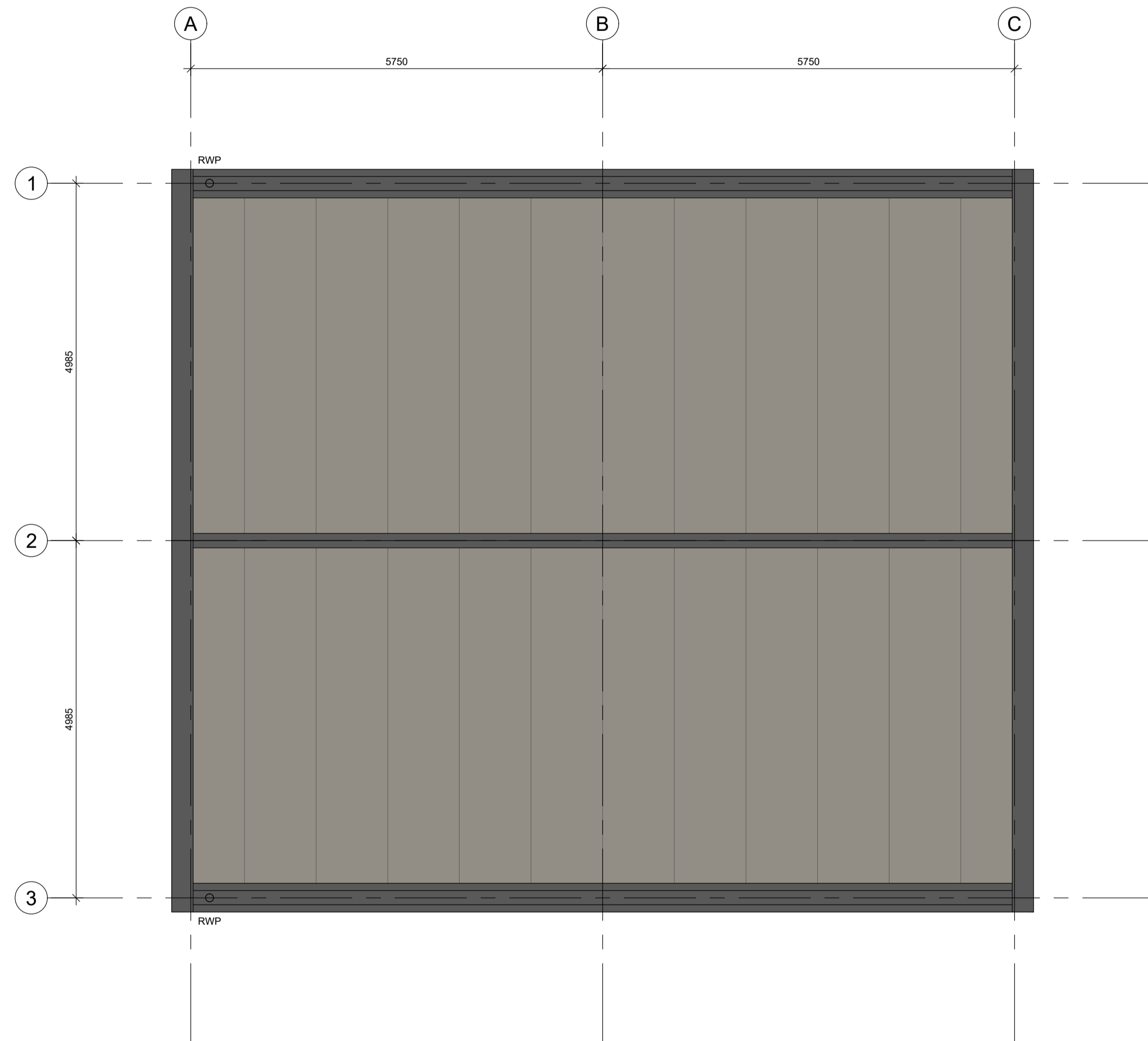
Rev.	Date	Remarks	By	Ch.
Revisions				
SREM				
SPRINGFIELD REAL ESTATE MANAGEMENT LTD				
4 RUTLAND SQUARE, EDINBURGH, EH1 2AS 0131 541 0133				
Project				
RETAIL UNIT, STARTER UNIT & FLATS FORSYTH STREET HOPEMAN				
Drawing				
4000 SQFT RETAIL UNIT SPECIFICATION NOTES				
-				
Scale	Date	Drawn by	Checked by	
NTS	21.02.2020	BRL	VM	
Drawing no.		Rev		
L-109				-

Important notes for clients / contractors
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PLANNING



GROUND FLOOR PLAN



ROOF PLAN

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

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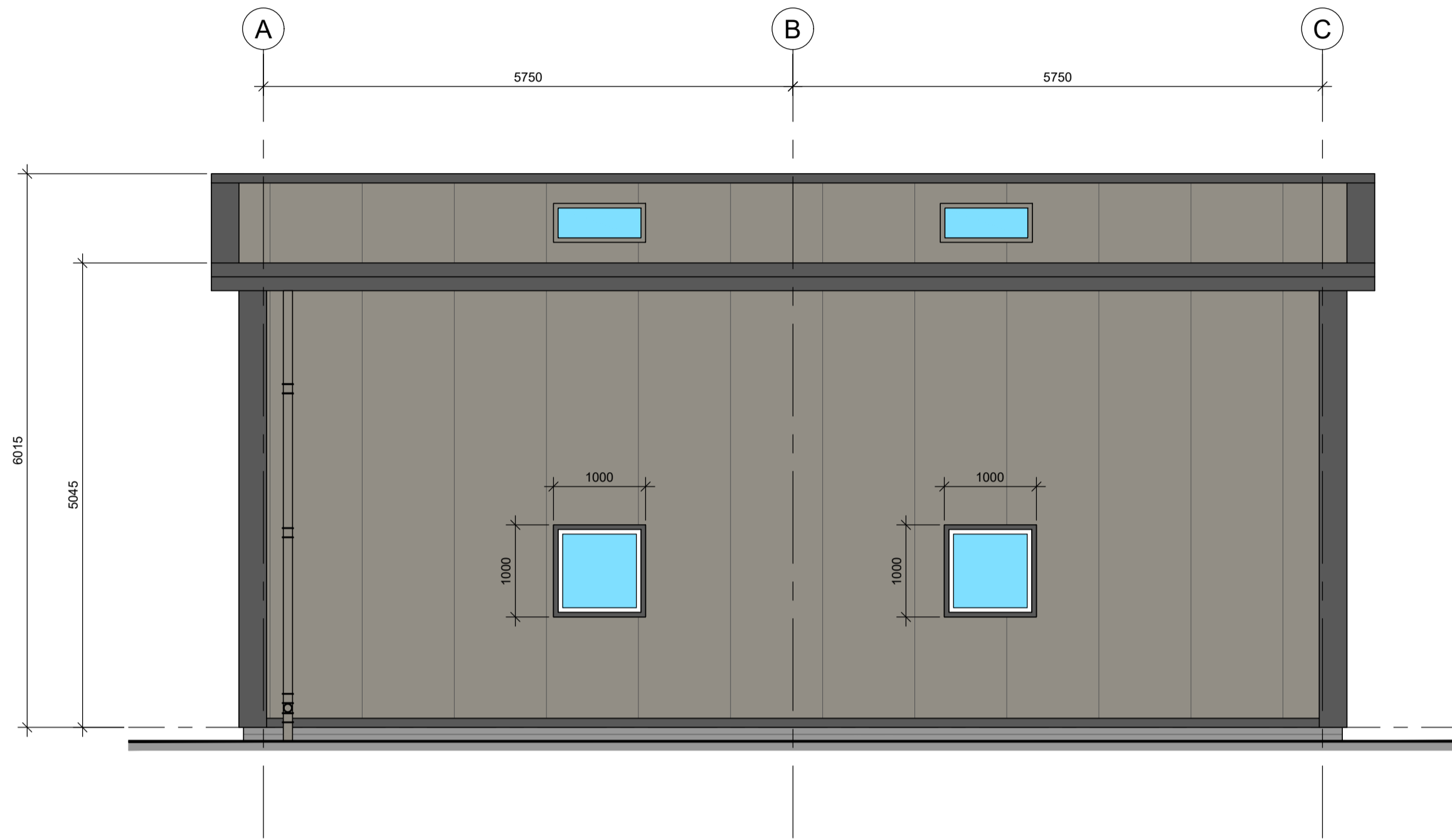
Project
RETAIL UNIT, STARTER UNIT & FLATS
FORSYTH STREET
HOPEMAN

Drawing
1200 SQFT STARTER UNIT
FLOOR & ROOF PLANS

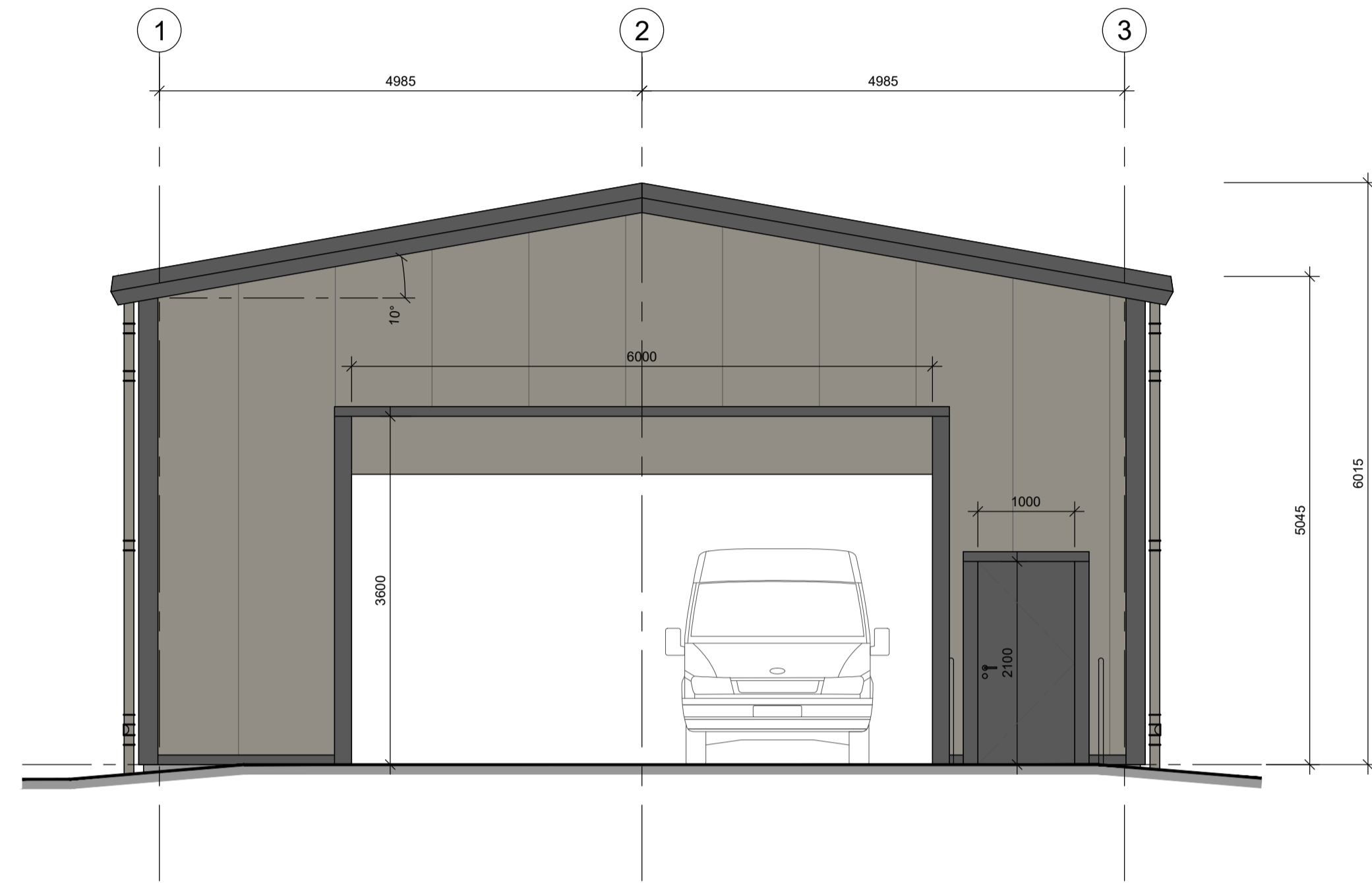
Scale	Date	Drawn by	Checked by
1:50	06.03.2020	BRL	VM

Drawing no.	Rev
L-202	A

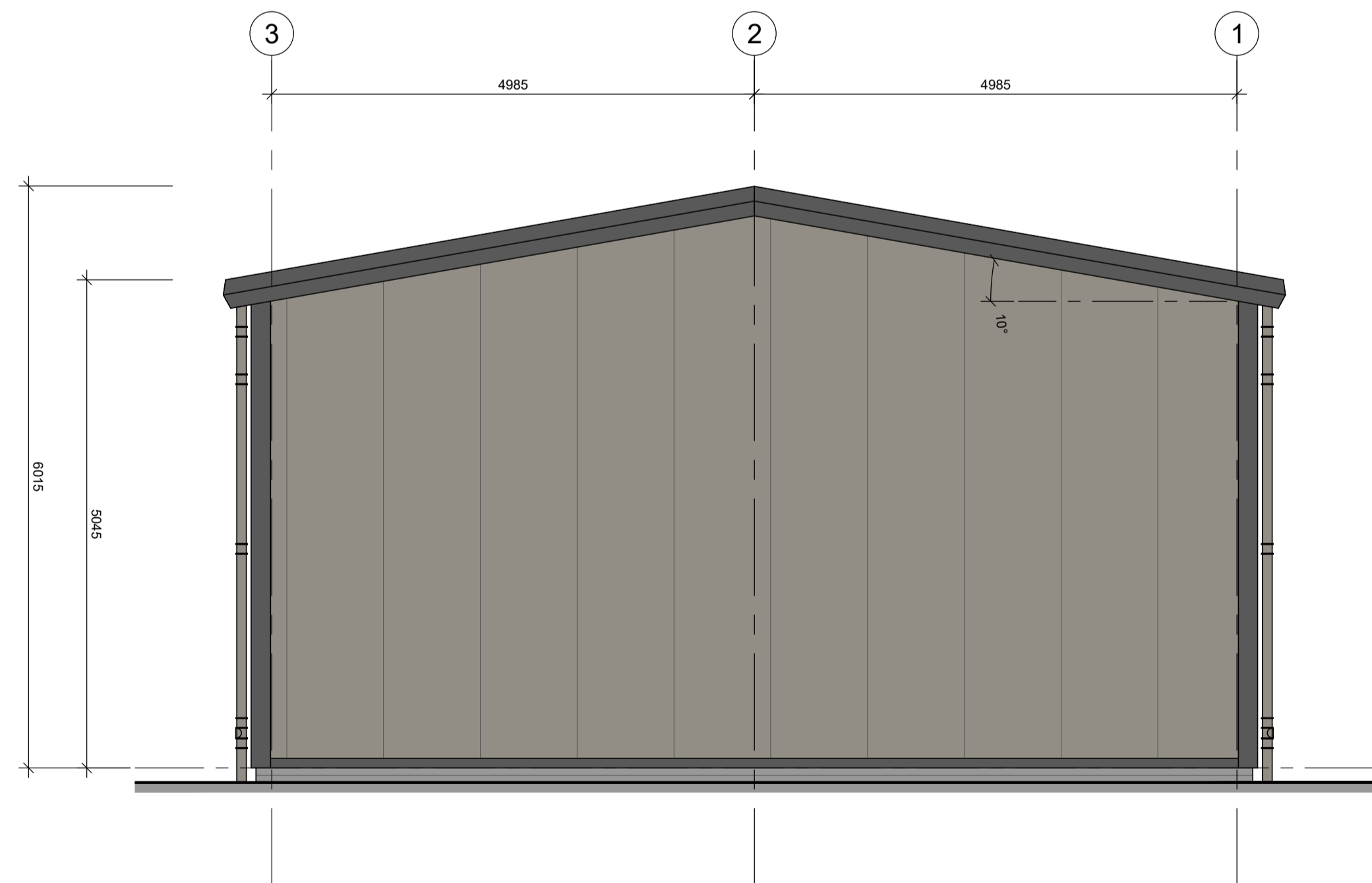
Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "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.



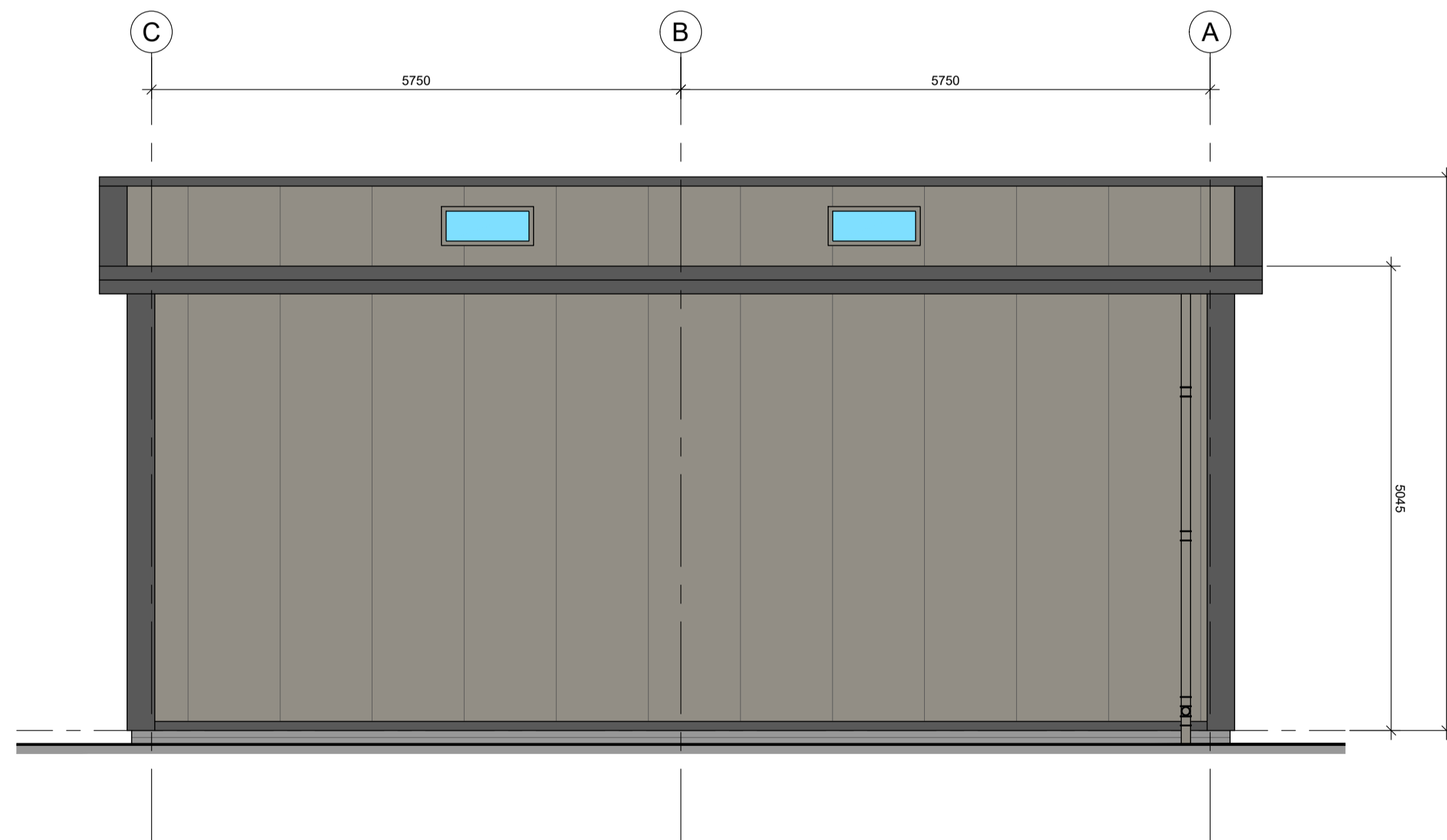
CAR PARK ELEVATION



FORSYTH STREET ELEVATION



GABLE ELEVATION



REAR ELEVATION

PLANNING

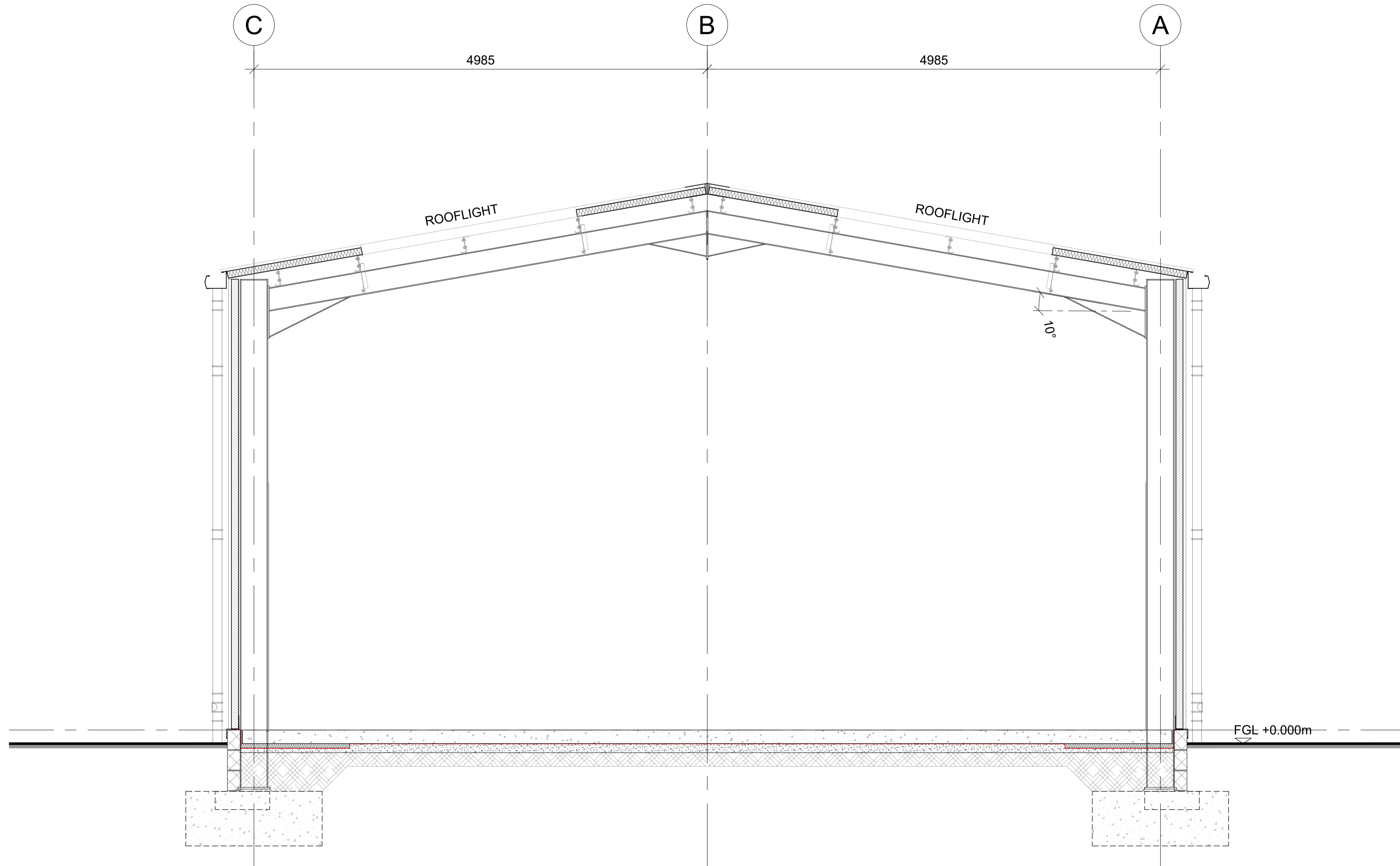
Rev.	Date	Remarks	By	Ch.
A	01.07.2020	Updated to suit Planning revisions to site plan.	BRL	

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 0131 541 0133

Project RETAIL UNIT, STARTER UNIT & FLATS FORSYTH STREET HOPEMAN			
Drawing 1200 SQFT STARTER UNIT ELEVATIONS			
Scale 1:50	Date 06.03.2020	Drawn by BRL	Checked by VM
Drawing no. L-205	Rev A		

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	-

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Project RETAIL UNIT, STARTER UNIT & FLATS FORSYTH STREET HOPEMAN			
Drawing 1200 SQFT STARTER UNIT SECTION A-A -			
Scale 1:50	Date 06.03.2020	Drawn by BRL	Checked by VM
Drawing no. L-206			Rev A

Important notes for clients / contractors
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UNHEATED UNIT CONSTRUCTION SPECIFICATION:

ROOF

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

EXTERNAL WALLS

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

PERSONNEL / FIRE ESCAPE DOORS

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

INSULATED SECTIONAL OVERHEAD DOORS

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

DRAINAGE

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

PAVEMENT CONSTRUCTION

- PAVEMENTS ARE TO BE FORMED IN TARMAC.
- PAVEMENTS ARE TO BE GRADED UP LOCALLY AT EXTERNAL MAIN ENTRANCE DOORS AND ALL FIRE EXIT DOORS TO PROVIDE LEVEL ACCESS.
- MAXIMUM SLOPE TO BE 1:20 (i.e. 150mm RISE OVER 6000mm HORIZONTALLY).
- 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

- ROADS ARE TO BE FORMED IN TARMAC AND LAID TO FALL TO SUIT THE DRAINAGE GULLY LOCATIONS.
- PARKING AREAS ARE TO BE FORMED IN CONCRETE TO THE STRUCTURAL ENGINEERS SPECIFICATION.
- ALL NECESSARY PRE-CAST CONCRETE EDGE, DROP KERBS, FOUNDATIONS, ETC. ARE TO BE PROVIDED TO COMPLETE THE WORKS REQUIRED.
- ALL WORKS TO BE CONSTRUCTED TO THE 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.
- MINIMUM 1 NO. ACCESSIBLE BAY PER 20 SPACES.
- ACCESSIBLE BAYS MUST BE LOCATED WITHIN 45m OF THE MAIN ENTRANCE DOORS.
- 5 NO. TUBULAR STAINLESS STEEL CYCLE RACKS TO BE PROVIDED.

EXTERNAL DOOR BARRIERS

- 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.
- BARRIERS TO PROVIDE CLEARANCE AROUND DOORS AND PREVENT VEHICLES PARKING AND BLOCKING ESCAPE ROUTES.
- TO BE SUPPLIED BY 'LANGLEY DESIGN' MALFORD MDB200 (OR EQUAL & APPROVED).
- BARRIERS ARE TO BE INSTALLED TO THE MANUFACTURERS SPECIFICATION AND DETAILS.

PLANNING

Rev.	Date	Remarks	By	Ch.

Revisions				

SREM

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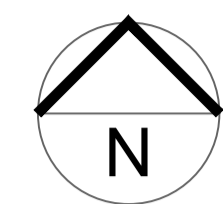
Project
 RETAIL UNIT, STARTER UNIT & FLATS
 FORSYTH STREET
 HOPEMAN

Drawing
 1200 SQFT STARTER UNIT
 SPECIFICATION NOTES
 -

Scale	Date	Drawn by	Checked by
NTS	06.03.2020	BRL	VM

Drawing no.	Rev
L-207	-

Important notes for clients / contractors
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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.

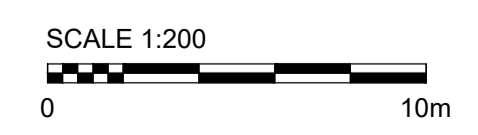
A1



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

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 SPRINGFIELD REAL ESTATE MANAGEMENT LTD
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 0131 541 0133

Project RETAIL UNIT, STARTER UNIT & FLATS FORSYTH STREET HOPEMAN			
Drawing PROPOSED BOUNDARY TREATMENTS			
Scale 1:200	Date 29.07.2020	Drawn by BRL	Checked by 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 |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<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 | X <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

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 from 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

MORAY
council



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 (<i>Contribution towards extension at Moray Coast Medical Practice</i>)	[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
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 |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<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"/> |

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 271m².

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 |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<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 | 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 | <input type="checkbox"/> |

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

Date14/05/2020.....

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

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

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

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.

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
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Site Gazetteer UPRN	000133039156
Proposal Location Easting	314730
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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

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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 |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<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 | x |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

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 Plan 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
email address:
Consultee:

Date: 27.05.2020
Phone No

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.

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
Planning Authority Reference	20/00474/APP
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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: 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 |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
X |
| (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 type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

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 coordinate 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 from 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
email: transport.develop@moray.gov.uk
Consultee: Transportation

Date.....12/03/21.....
Phone No

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

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: 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 |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<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 type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

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
email address:
Consultee:

Date 19 May 2020
Phone No

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

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	<p>The proposal is not supported for the following reasons:</p> <ul style="list-style-type: none">• 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;

		<ul style="list-style-type: none"> • 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	<p>Objection - Reason(s) for objection:</p> <ul style="list-style-type: none"> • 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)

		<ul style="list-style-type: none"> • 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		
<p>Issue: No need or want for a retail development in Hopeman. Large shops elsewhere are easily accessible from Hopeman.</p> <p>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.</p>		
<p>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.</p> <p>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.</p>		
<p>Issue: Local shops have been a lifeline for the community during the pandemic and should be supported in future.</p> <p>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.</p>		
<p>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.</p> <p>Comments (PO): Every application is considered on its own merits.</p>		
<p>Issue: Contrary to the development plan, and aspirations for the village which seek to safeguard its distinctive character.</p> <p>Comments (PO): Concerns regarding the impact of some elements of the development on the village form part of the reason for refusal.</p>		
<p>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.</p> <p>Comments (PO): The concerns are noted. The potential loss of employment forms part of the reason for refusal.</p>		
<p>Issue: No requirement for additional housing in Hopeman as sites have been identified in the Moray LDP 2020.</p> <p>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.</p>		

<p>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.</p> <p>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.</p>
<p>Issue: A previous application (89/00415/FUL) for a house on this site was refused.</p> <p>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.</p>
<p>Issue: Sufficient land for growth and particularly housing is already identified in the LDP</p> <p>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.</p>
<p>Issue: Proximity to the junctions of the B9040 and Inverugie Road and the B9040 and Harbour Street</p> <p>Comments (PO): The Transportation Section has expressed concern about the position of service bay and this forms part of the reasons for refusal.</p>
<p>Issue: Speeding on the B9040 is already a problem.</p> <p>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.</p>
<p>Issue: Congestion particularly around access to Harbour Street is already a problem and there is no capacity for increased traffic.</p> <p>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.</p>
<p>Issue: Lack of parking will lead to increased parking on Forsyth Street (B9040).</p> <p>Comments (PO): The lack of parking provision forms part of the reason for refusal.</p>
<p>Issue: Proximity of the bus stop to the access is a hazard especially for children getting off school busses etc.</p> <p>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.</p>
<p>Issue: The position of the service bay off Forsyth Street and the lack of connections to the footway is not safe for pedestrians.</p> <p>Comments (PO): This forms part of the reasons for refusal.</p>
<p>Issue: Public transport connections are poor and the site is not easily accessible except by car.</p>

<p>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.</p>
<p>Issue: The road is not safe for cyclists due the traffic and the level of parked cars. This development will exacerbate this problem.</p> <p>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.</p>
<p>Issue: Transport Impact Study required.</p> <p>Comments (PO): A Transport Statement supported by accident data, Road Safety Audit and Street Engineers Report have been provided.</p>
<p>Issue: No safe pedestrian crossing across Forsyth Street (B9040).</p> <p>Comments (PO): Concerns regarding road safety form part of the reasons for refusal.</p>
<p>Issue: There should be no development on the coast between Findhorn and Buckie.</p> <p>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.</p>
<p>Issue: Tourism will be affected by congestion and character of the village being eroded.</p> <p>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.</p>
<p>Issue: Overdevelopment of the village.</p> <p>Comments (PO): Part of the site is designated for development and is in part a brownfield site.</p>
<p>Issue: The design, style and finish of the development does not fit with the character and appearance of the village.</p> <p>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.</p>
<p>Issue: The design and appearance of the development is not in keeping with the Special Landscape Area.</p> <p>Comments (PO): These concerns are noted and the impact of the retail unit on the SLA forms part of the reasons for refusal.</p>
<p>Issue: The proposed flats are not in keeping with surrounding traditional buildings and not a typical part of the housing mix in Hopeman.</p> <p>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.</p>

<p>Issue: The retail and residential uses are incompatible with the builders yard and offices on the adjoining site.</p> <p>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.</p>
<p>Issue: Noise pollution.</p> <p>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.</p>
<p>Issue: Litter and problems with seagulls.</p> <p>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.</p>
<p>Issue: Loitering and anti-social behaviour.</p> <p>Comments (PO): Criminal activity is a matter for the Police. It is speculative to suggest these proposals would result in antisocial behaviour.</p>
<p>Issue: Activity at unsociable hours.</p> <p>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.</p>
<p>Issue: Proximity of the proposed service yard for the retail unit to neighbouring properties.</p> <p>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.</p>
<p>Issue: The proximity of bins stores for the proposed flats to neighbouring properties.</p> <p>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.</p>
<p>Issue: Impact on air quality from increased traffic.</p> <p>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.</p>

<p>Issue: Height of flats will block out the sun.</p> <p>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.</p>
<p>Issue: Overlooking and loss of privacy from the proposed flats.</p> <p>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.</p>
<p>Issue: Noise, dust and disruption during the construction phase.</p> <p>Comments (PO): The Council's Environmental Health Section has been consulted and have recommended a condition limiting construction working hours 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 be addressed by the Council's Environmental Health Section. The construction period will be for a limited period only.</p>
<p>Issue: The removal of an existing hedge between the application site and the houses to the west.</p> <p>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.</p>
<p>Issue: The flats have limited curtilage or amenity space.</p> <p>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.</p>
<p>Issue: The site should be retained as open space for the community.</p> <p>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.</p>
<p>Issue: Impact on the natural environment and in particular bats.</p> <p>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.</p>
<p>Issue: Flood Risk.</p> <p>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.</p>

<p>Issue: The existing drainage network cannot accommodate additional development.</p> <p>Comments (PO): A Drainage Impact Assessment (DIA) Moray Flood Risk Management and Scottish Water have been consulted and neither objects to the proposal.</p>
<p>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.</p> <p>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.</p>
<p>Issue: Impact on local healthcare facilities.</p> <p>Comments (PO): A developer obligation in relation to local healthcare facilities would be sought should the application be approved.</p>
<p>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.</p> <p>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.</p>
<p>Issue: Neighbour notification was not properly carried out.</p> <p>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.</p>
<p>Issue: Affordable housing should be allocated to people from the village.</p> <p>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.</p>
<p>Issue: The current restrictions due to the pandemic are allowing the developer to circumvent the system and preventing pre-application consultation and public meetings.</p> <p>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.</p>
<p>Issue: The development is a schedule 3 development and should have been treated accordingly.</p> <p>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.</p>

<p>Issue: Criticism of the developer.</p> <p>Comments (PO): The identity of the developer is not a material consideration.</p>
<p>Issue: Comments relating to the recent application for 22 houses to the west of this site. (16/01663/APP).</p> <p>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.</p>
<p>REPRESENTATIONS IN SUPPORT OF PROPOSAL</p>
<p>Issue: The development would tidy up a prominent site within the village.</p> <p>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.</p>
<p>Issue: The proposed retail unit would provide more choice for consumers.</p> <p>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.</p>
<p>Issue: The proposed flats would offer opportunities for local people to stay in the village.</p> <p>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.</p>
<p>Issue: Hopeman must continue to evolve for the sake of future generations and must consider the needs of all demographics.</p> <p>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.</p>

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 ¾ 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 ¾ 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 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 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 within 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-confirming uses. The proposed flats are a non-confirming 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 be 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 oversimplification 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 one 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 ¾ 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 give 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 floor 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 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 hours 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 unit 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 responsibility 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:	<ul style="list-style-type: none"> • 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
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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](#).
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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 laundrettes. 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."

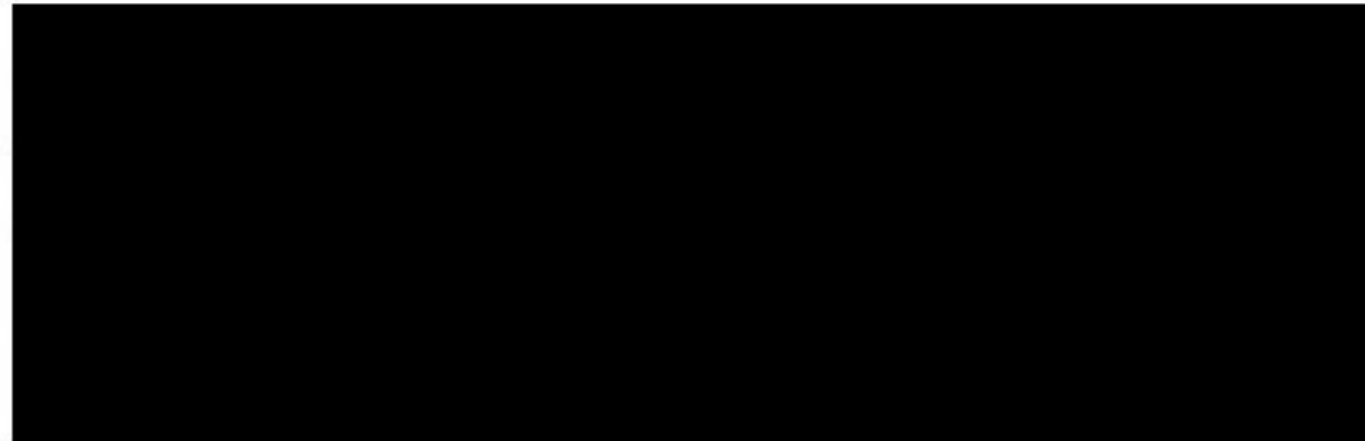


**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Heldon And Laich]
Application for Planning Permission**

TO

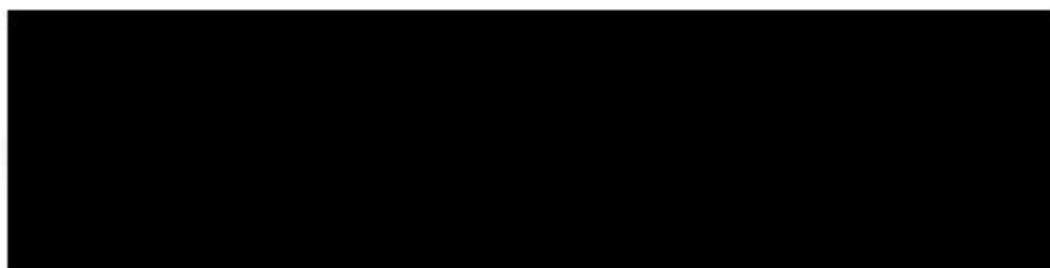


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

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**



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.