



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 100453563-001

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)

Demolish Existing House & Erect New House

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

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name:	<input type="text" value="Lux Farm"/>
First Name: *	<input type="text" value="W"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Stennett"/>	Address 1 (Street): *	<input type="text" value="Playford Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Rushmere"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Ipswich"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="England"/>
Mobile Number:	<input type="text" value=""/>	Postcode: *	<input type="text" value="IP5 1DA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

3 TOWN HALL LANE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

LOSSIEMOUTH

Post Code:

IV31 6DF

Please identify/describe the location of the site or sites

Northing

870879

Easting

323795

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

800.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Existing Dwellinghouse

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 **T** 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? * **T** Yes ≤ No

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

T 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 **T** 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? *

T 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 **T** 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 **T** No ≤ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ≤ Yes **T** 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)? * **T** Yes ≤ No

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

Please refer to plans

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Craig Mackay

On behalf of: Mr & Mrs W Stennett

Date: 09/08/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
A Design Statement or Design and Access Statement. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
A Flood Risk Assessment. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
Drainage/SUDS layout. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
A Transport Assessment or Travel Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
Contaminated Land Assessment. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
Habitat Survey. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A
A Processing Agreement. *	<input type="checkbox"/> Yes	<input type="checkbox"/> T	N/A

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

Drainage Statement

Declare – For Application to Planning Authority

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

Declaration Name: Mr Craig Mackay

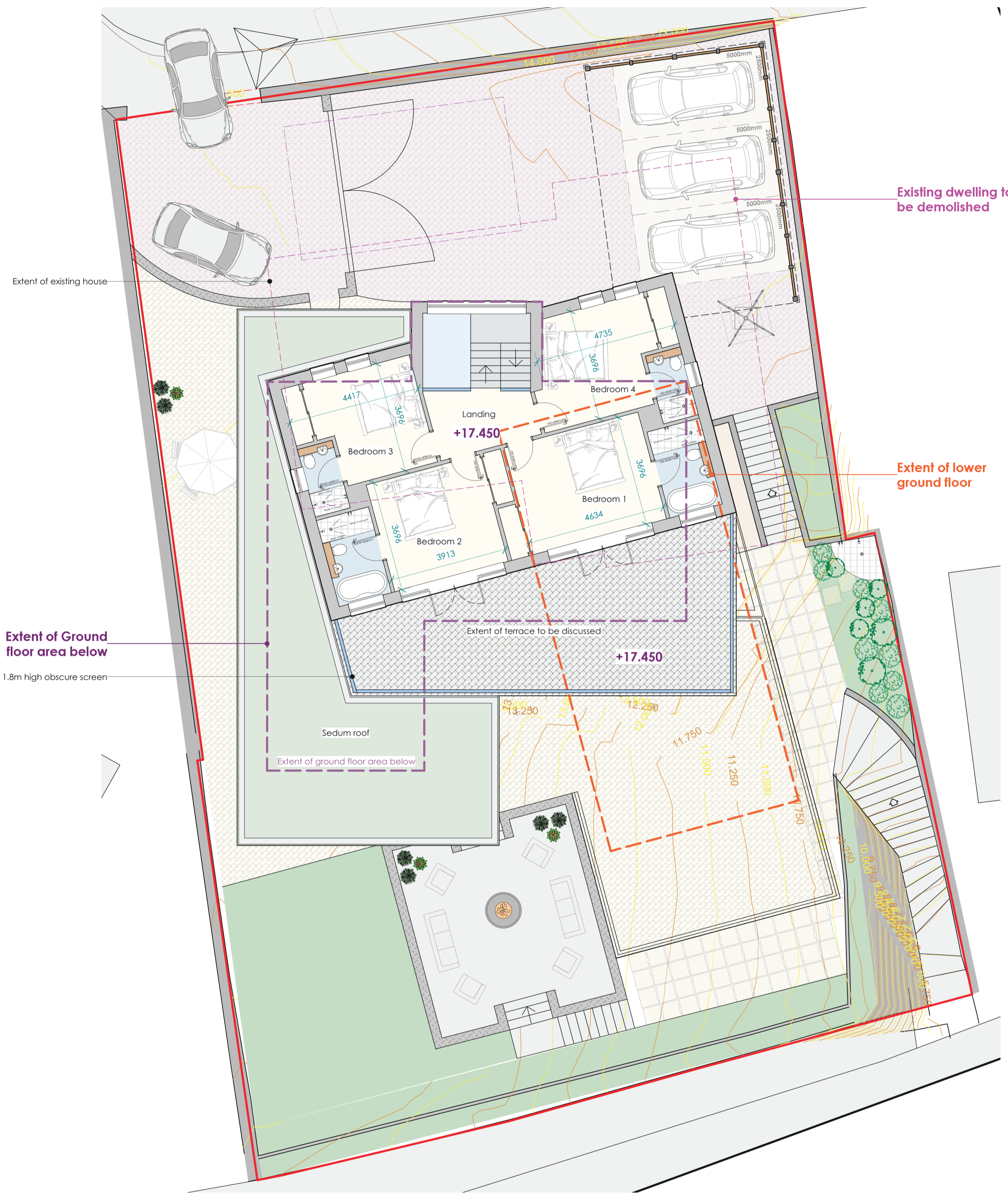
Declaration Date: 17/08/2021

Payment Details

Online payment: 130125

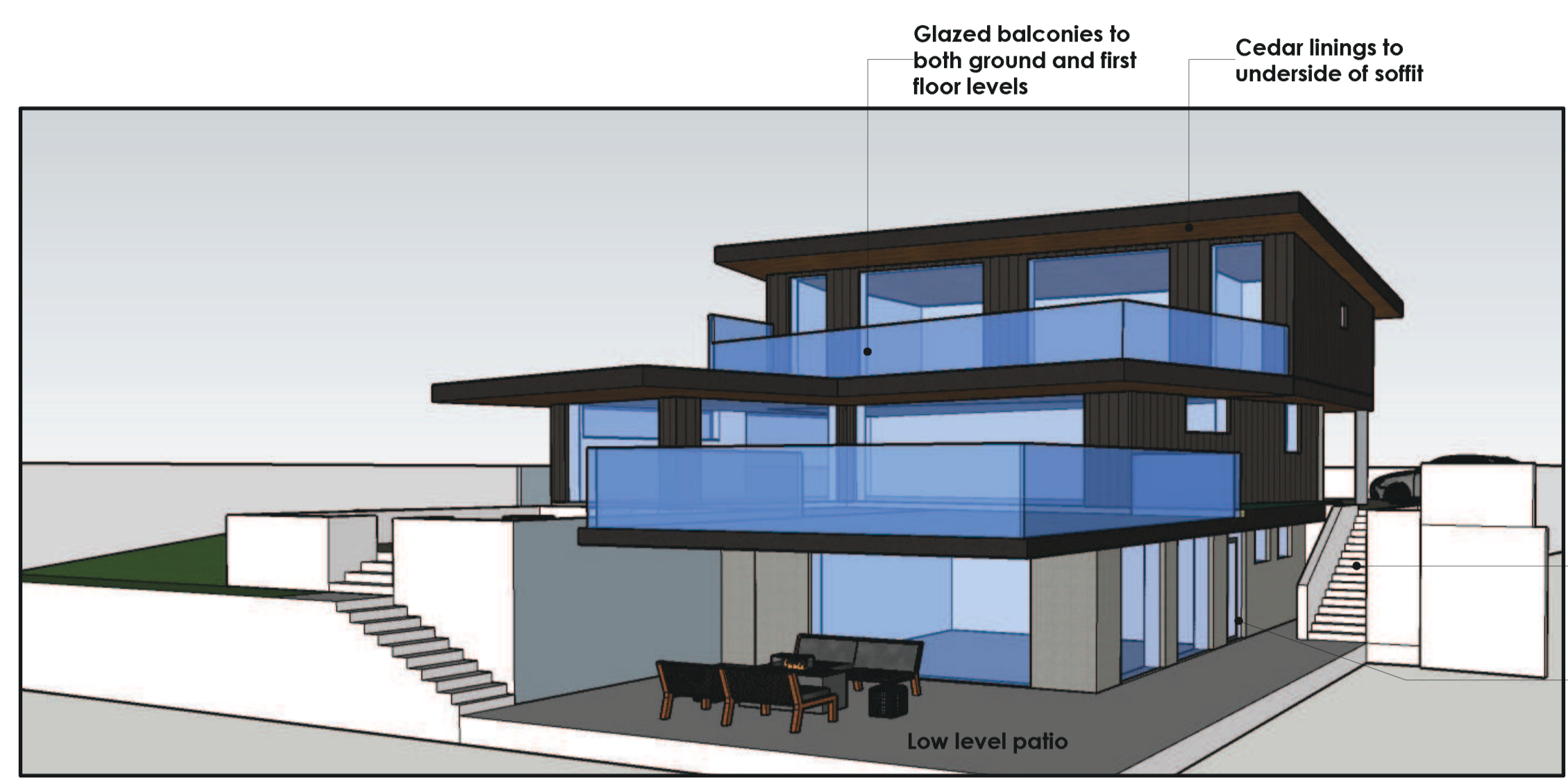
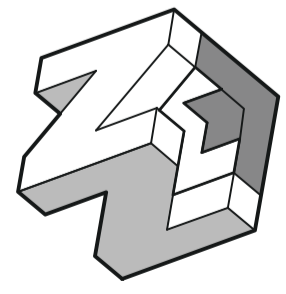
Payment date: 17/08/2021 17:12:11

Created: 17/08/2021 17:12



**FIRST FLOOR / SITE LAYOUT
(Scale 1:100)**

Lower Floor area: 84sqm
 Ground Floor area: 128sqm
 First Floor area: 92sqm
 Total Floor area: 304sqm



Glazed balconies to both ground and first floor levels
 Cedar linings to underside of soffit

Access to entrance level/ driveway
 Low level access to games room/ cinema room
 Existing stepped access from Pilgaveny street - omitted for clarity



Galzed balustrades designed to optimise the view available

Garden to be landscaped to suit levels and lawn laid
 Sunken garden/patio area



Low maintenance sedum roof
 Sunset Terrace

cmdesign
architectural consultants

HEAD OFFICE - MORAY
 St Brendans, 69 South Guildry Street, Elgin, IV30 1QN
 F01343 340020
 HIGHLANDS
 4 Bridge Street, Nairn, Highlands, IV12 4EJ
 F01667 300230

LOSSIEMOUTH OFFICE
 Elie, James Street, Moray, IV30 4BX
 F01343 810175
 DEVON OFFICE
 F01392 345566

Mrs E. Stennett

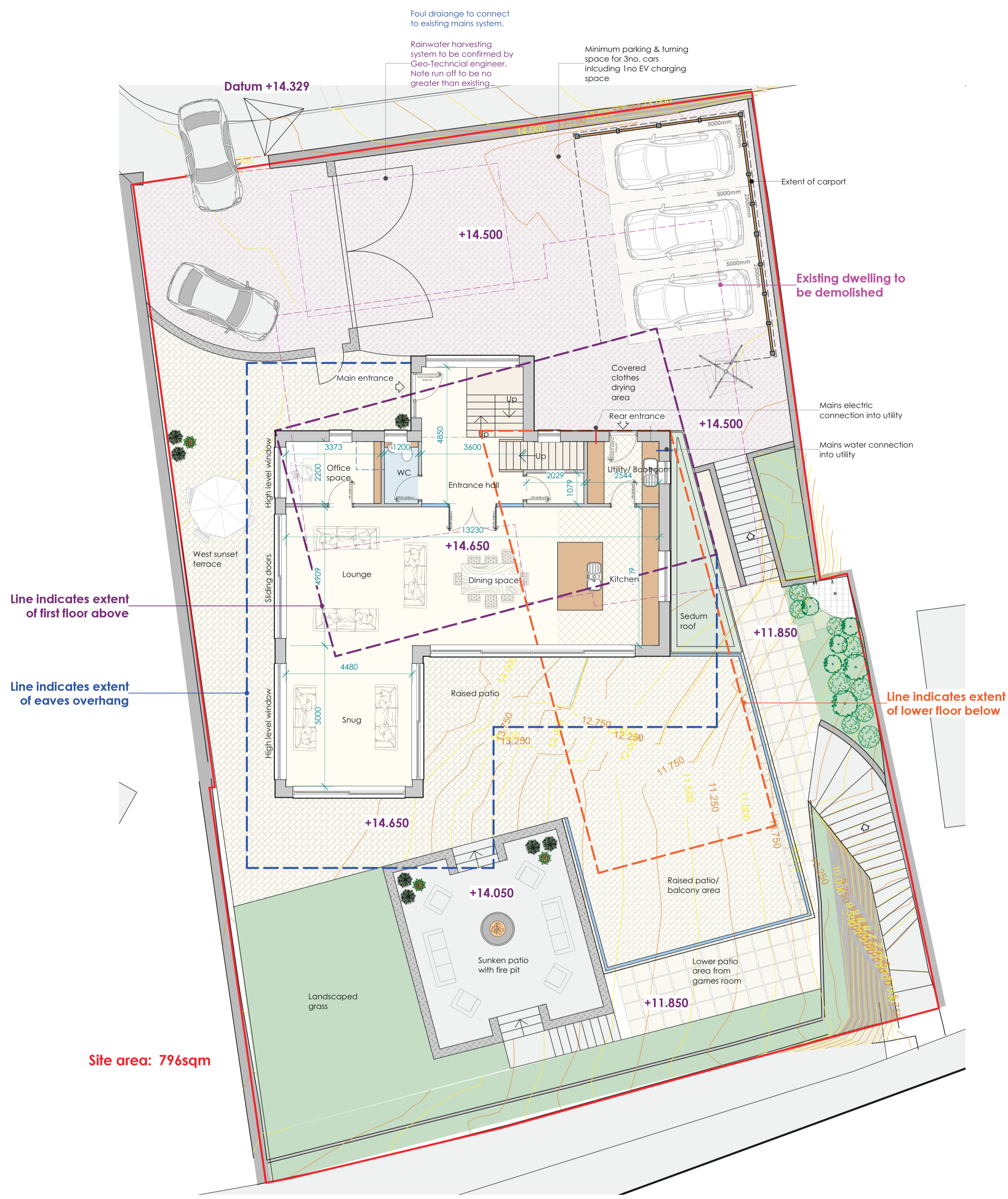
Demolish Existing House and Erect New 4 Bed Dwelling at 3 Town Hall Lane, Lossiemouth

PLANNING PROPOSALS
FIRST FLOOR PLAN

Date:	Amendments:	Rev:
24.08.21	Elevations updated	A
24.11.21	Carport added	B

Drawn By:	Date:	Checked By:	Date:
A. CARSWELL	14.07.21		

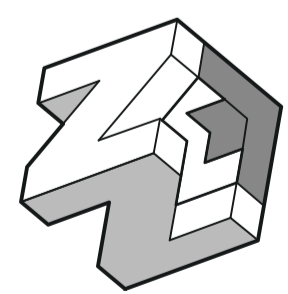
210046.STENNETT.05PP B



Line indicates extent of first floor above

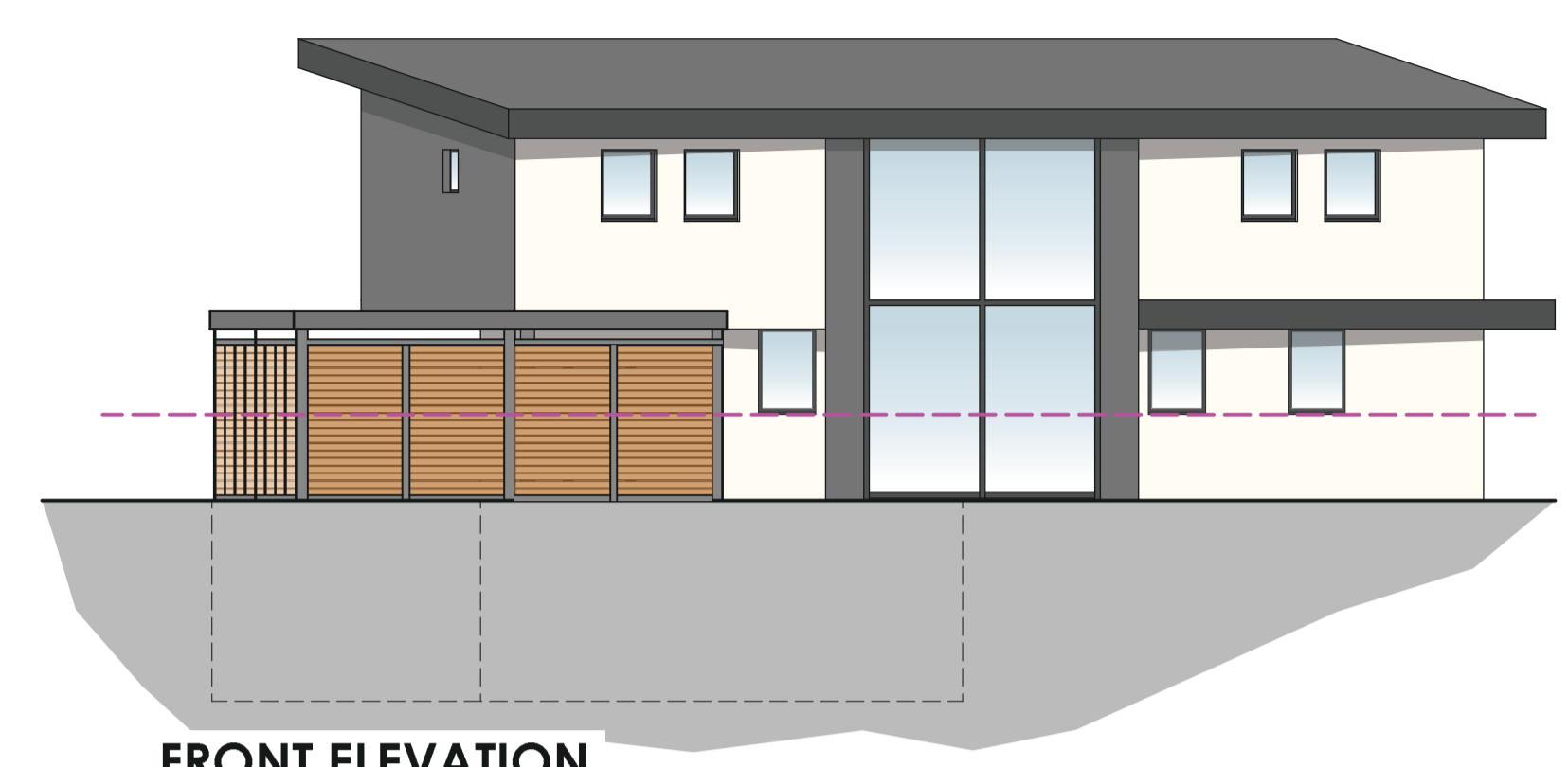
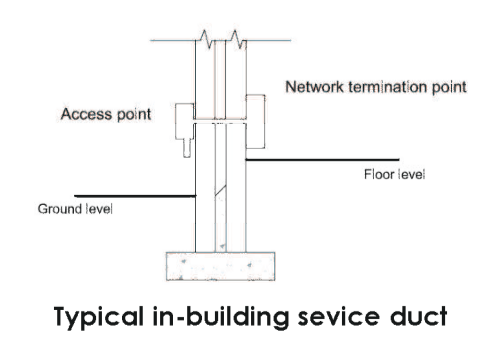
Line indicates extent of eaves overhang

Site area: 796sqm



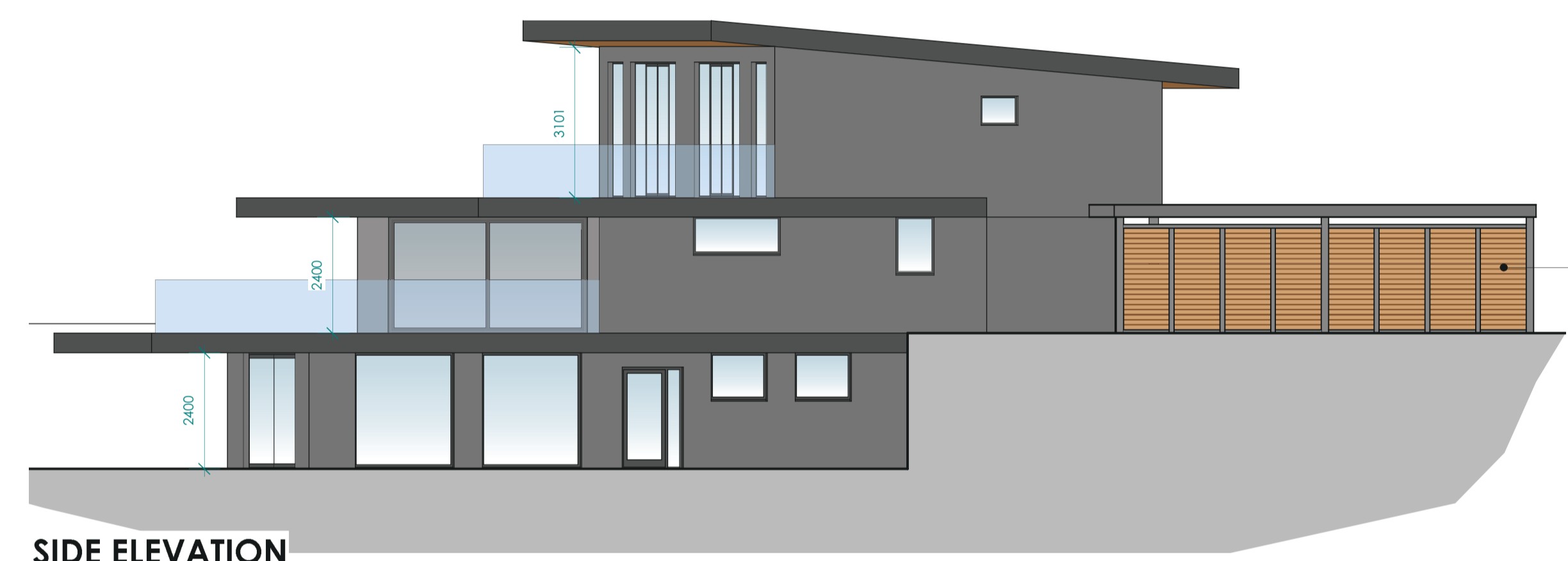
GROUND FLOOR/ SITE LAYOUT (Scale 1:100)

Lower Floor area: 84sqm
 Ground Floor area: 128sqm
 First Floor area: 92sqm
 Total Floor area: 304sqm

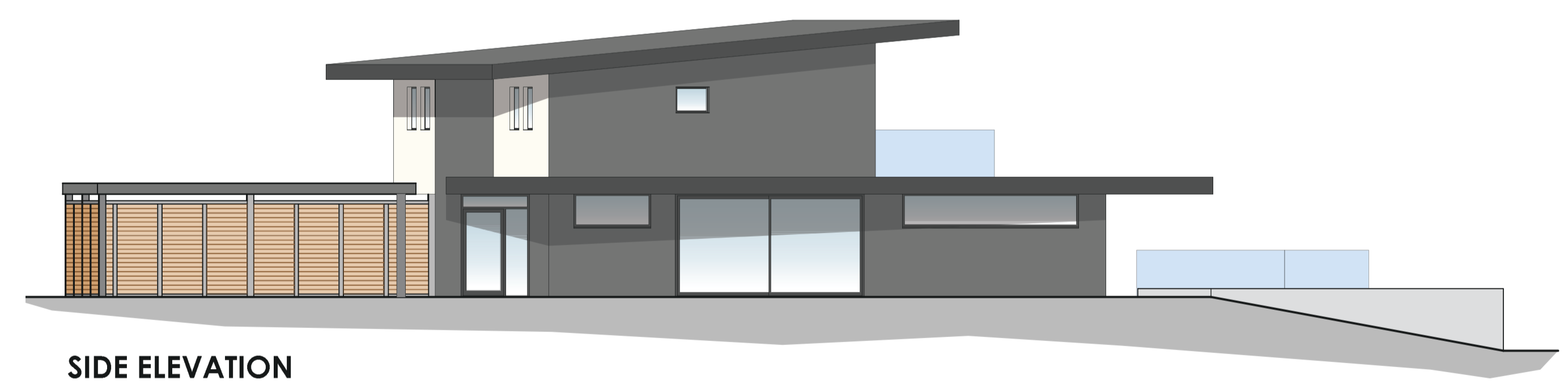


FRONT ELEVATION (Scale 1:100)

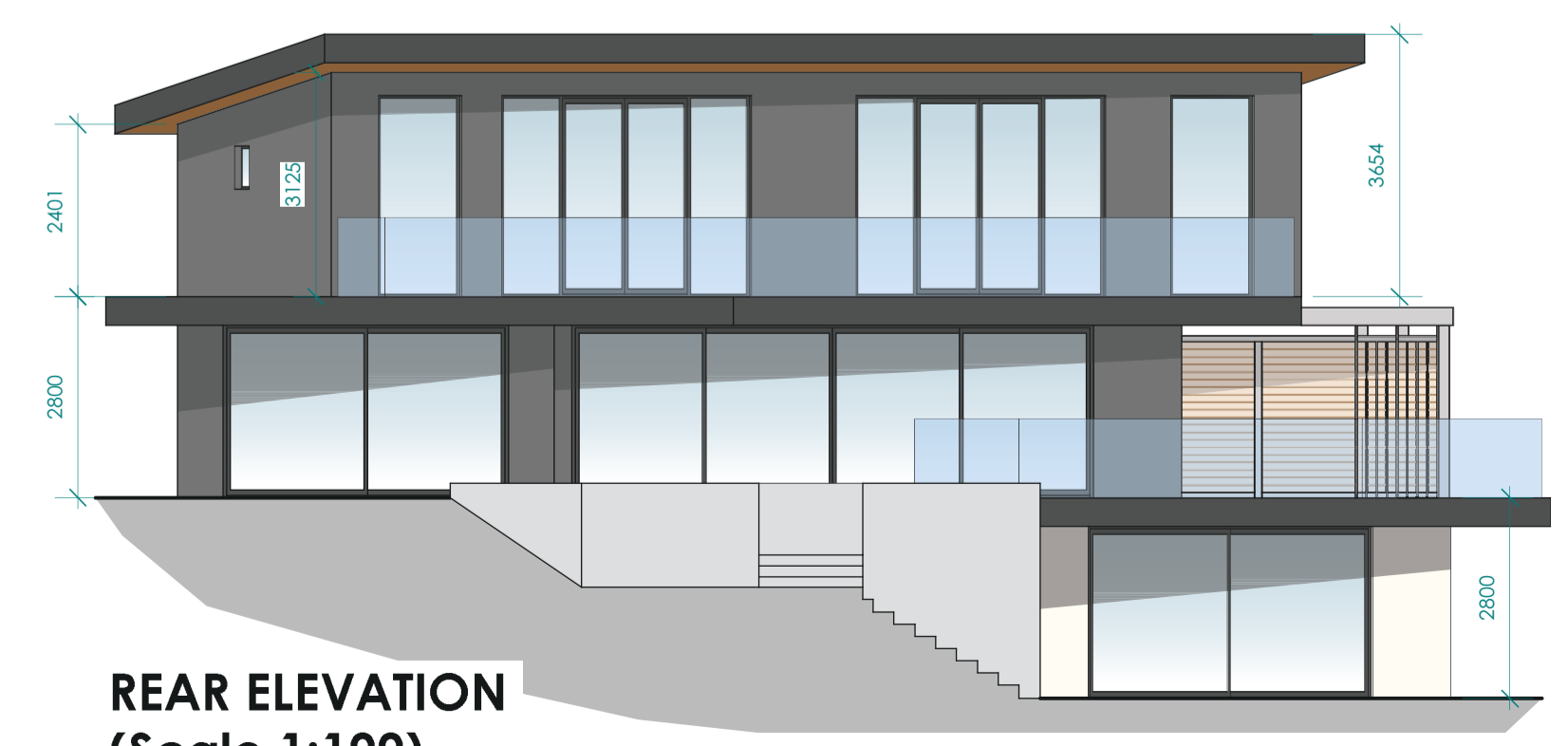
Material finishes:
Roof: Standing seam Grey Zinc roof finish
 Sedum roof
Wall: Cedral vertical cladding board
 Smooth off-white K-Rend
Windows & Doors: Grey Alu clad



SIDE ELEVATION (Scale 1:100)



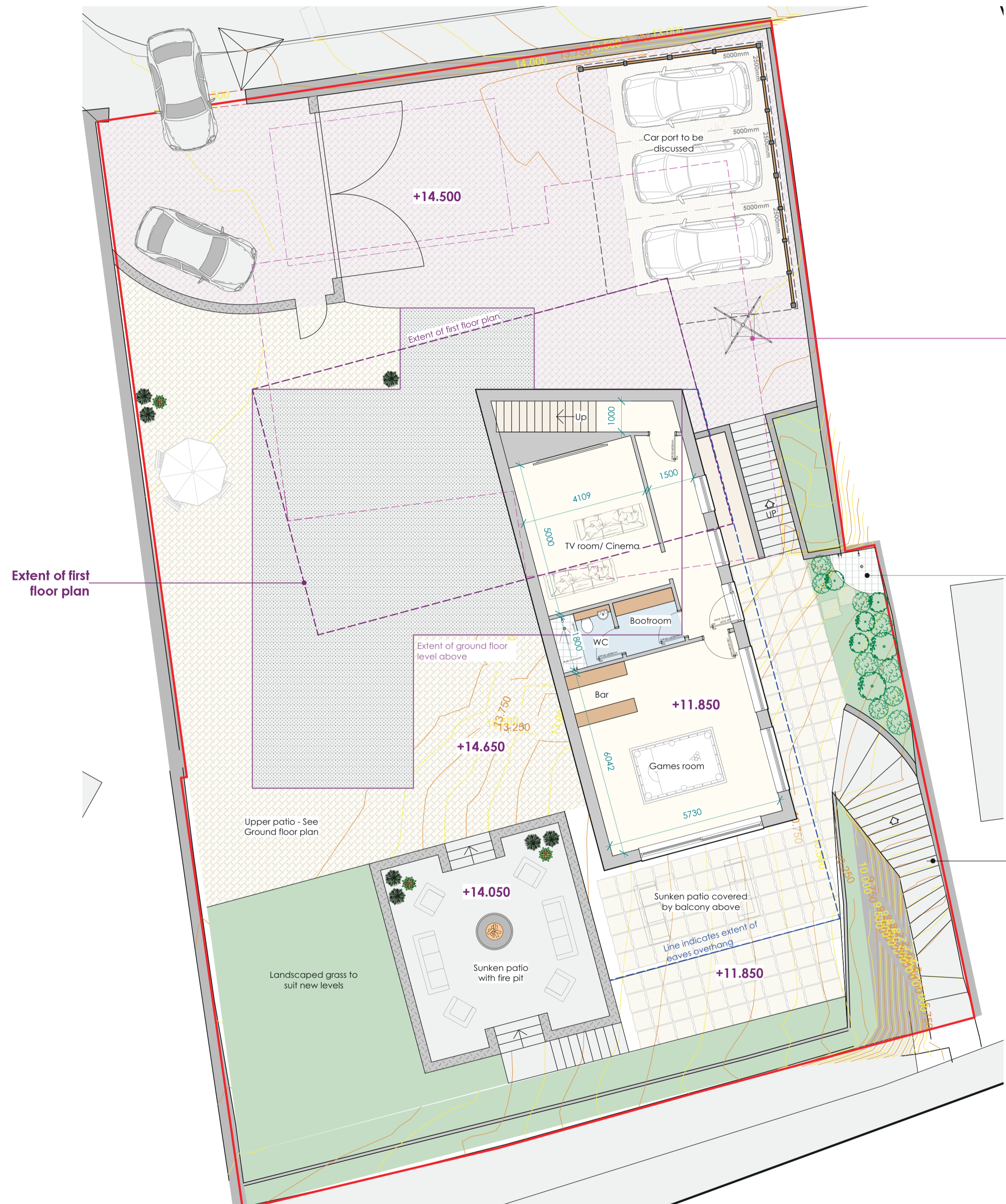
SIDE ELEVATION (Scale 1:100)



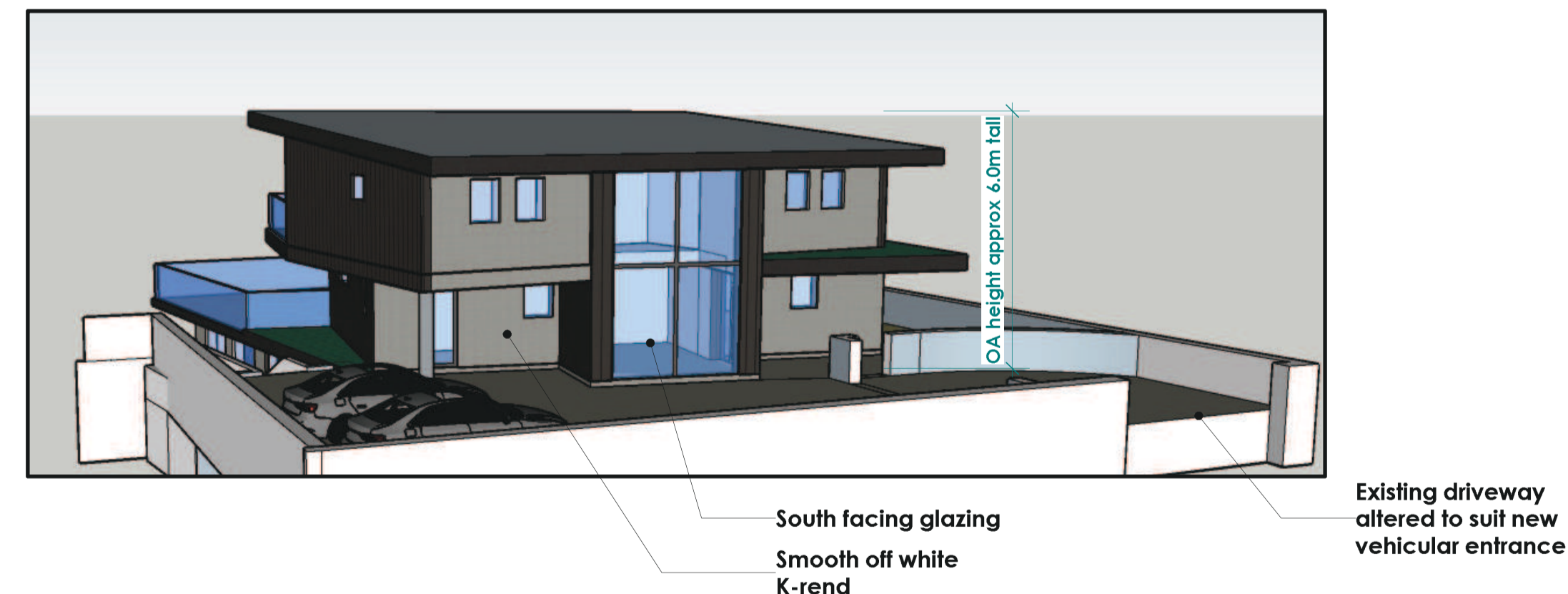
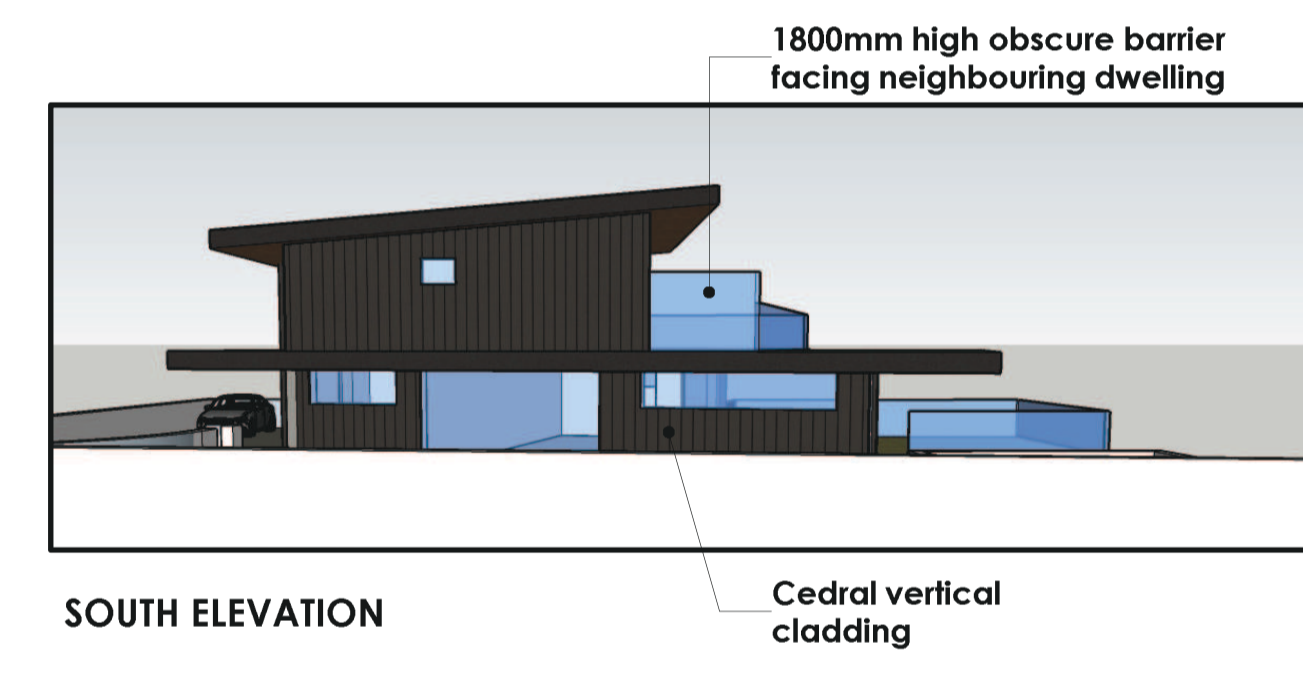
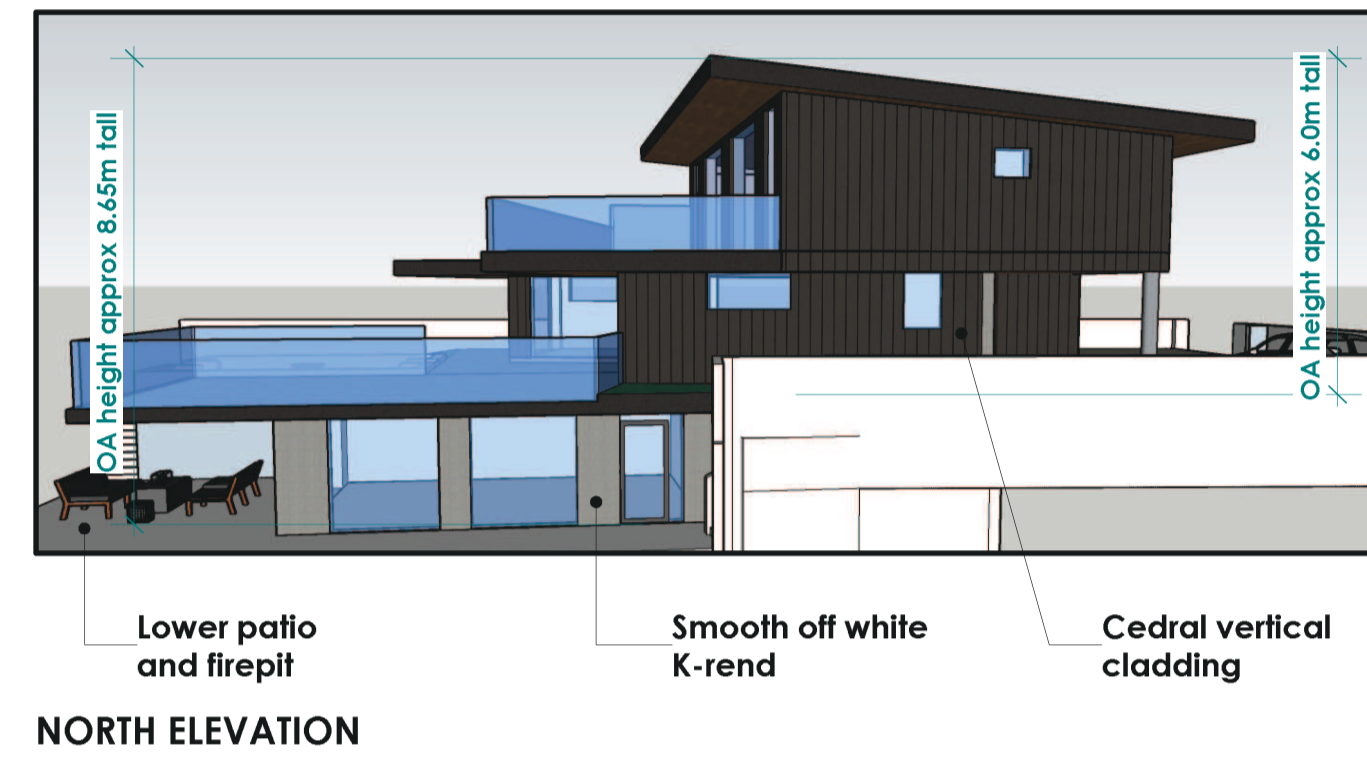
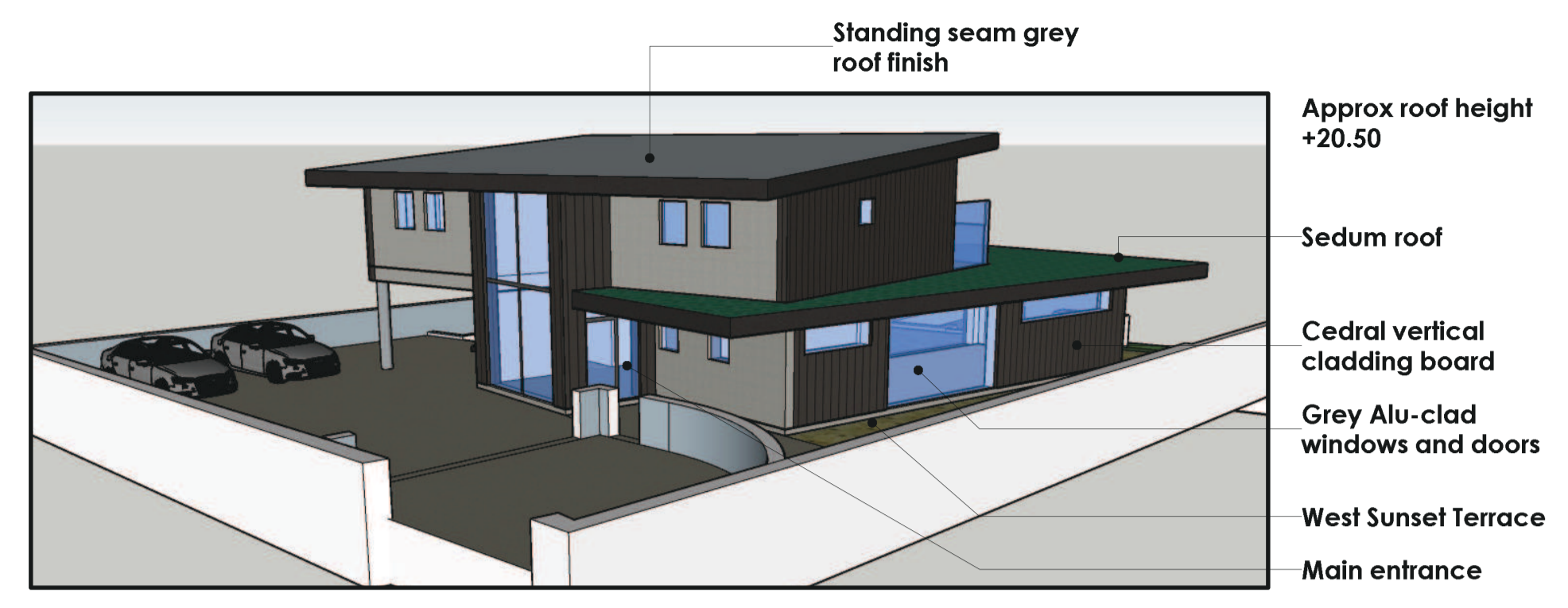
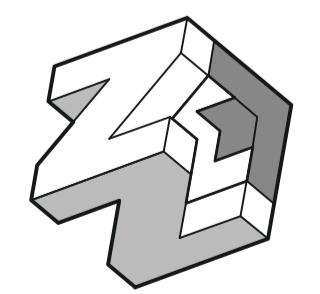
REAR ELEVATION (Scale 1:100)



HEAD OFFICE - MORAY St Brendans, 69 South Guildry Street, Elgin, IV30 1QN 01343 340020 HIGHLANDS 4 Bridge Street, Nairn, Highlands, IV12 4EJ 01667 300230 m 0781 3872818 w cmdesign.biz e office@cmdesign.biz		LOSSIEMOUTH OFFICE Elie, James Street, Moray, IV30 4BX 01343 810175 DEVON OFFICE 01392 345566	
Mrs E. Stennett Demolish Existing House and Erect New 4 Bed Dwelling at 3 Town Hall Lane, Lossiemouth PLANNING PROPOSALS GROUND FLOOR PLAN			
Date:	Amendments:	Rev:	
24.08.21	Elevations updated	A	
24.11.21	Carport added	B	
Drawn By:	Date:	Checked By:	Date:
A. CARSWELL	14.07.21		
210046.STENNETT.04PP B			



LOWER GROUND FLOOR/ SITE LAYOUT
(Scale 1:100)
Lower Floor area: 84sqm
Ground Floor area: 128sqm
First Floor area: 92sqm
Total Floor area: 304sqm



cmdesign
architectural consultants

HEAD OFFICE - MORAY
St Brendans, 69 South Guildry Street, Elgin,
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M 0781 3872818 W cmdesign.biz E office@cmdesign.biz

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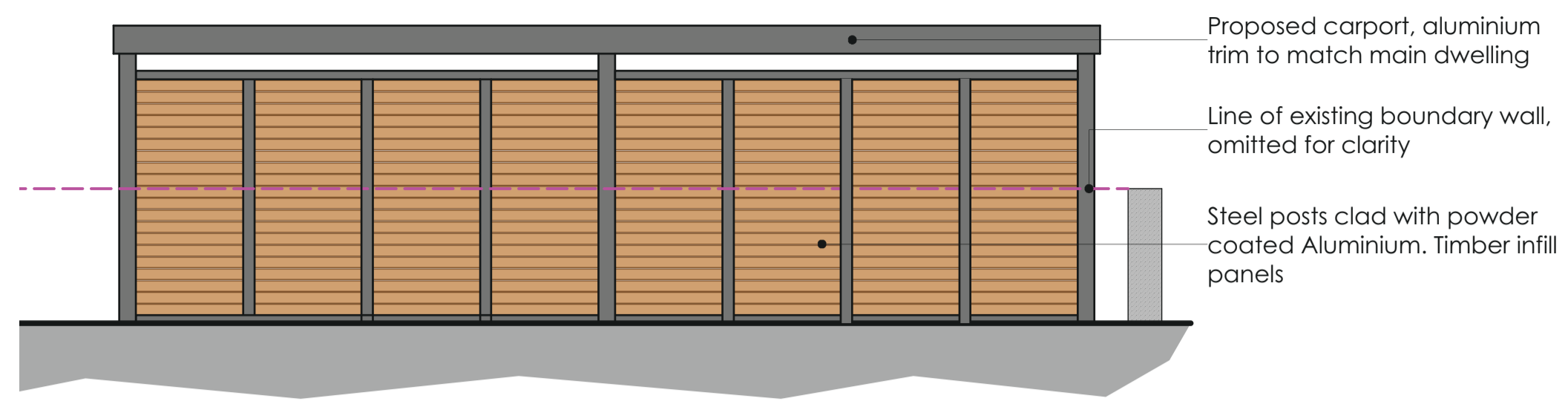
Mrs E. Stennett

Demolish Existing House and Erect New 4 Bed Dwelling
at 3 Town Hall Lane, Lossiemouth

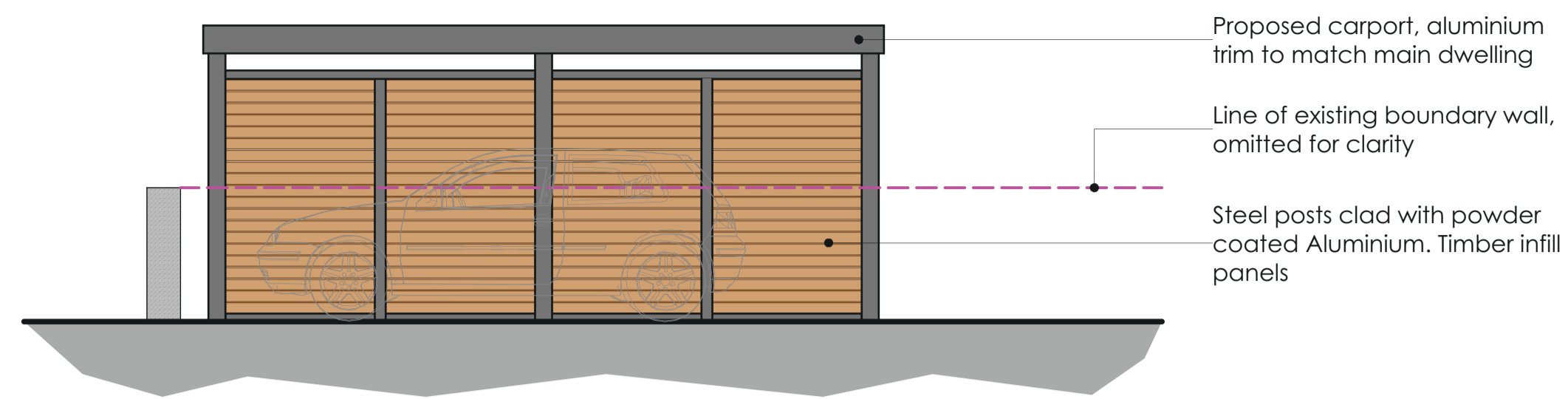
PLANNING PROPOSALS
LOWER GROUND FLOOR PLAN

Date:	Amendments:	Rev:
24.08.21	Elevations updated	A
24.11.21	Carport added	B
Drawn By:	Date:	Checked By:
A. CARSWELL	14.07.21	

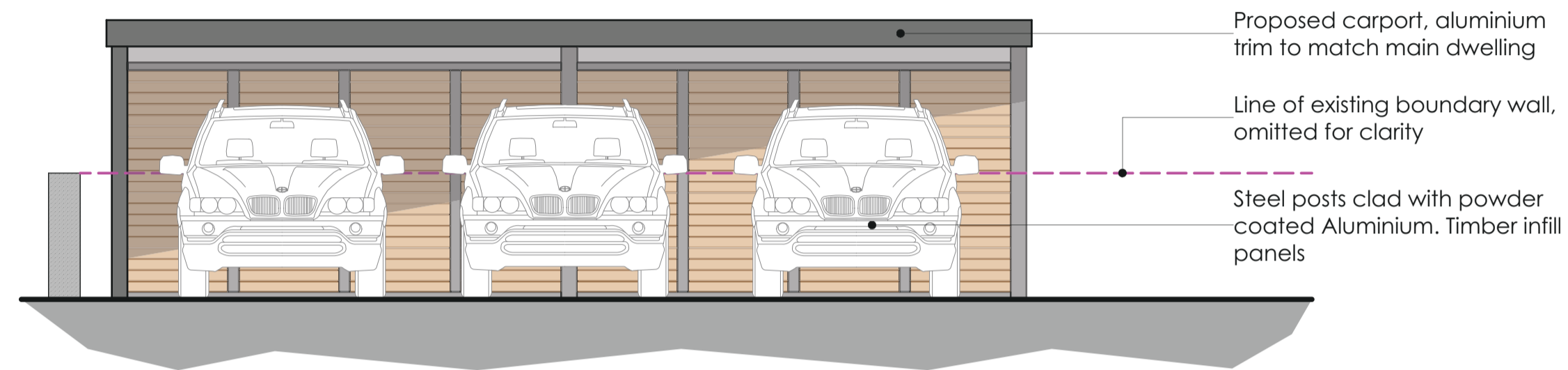
210046.STENNETT.03PP B



CARPORT ELEVATION
(Scale 1:50)



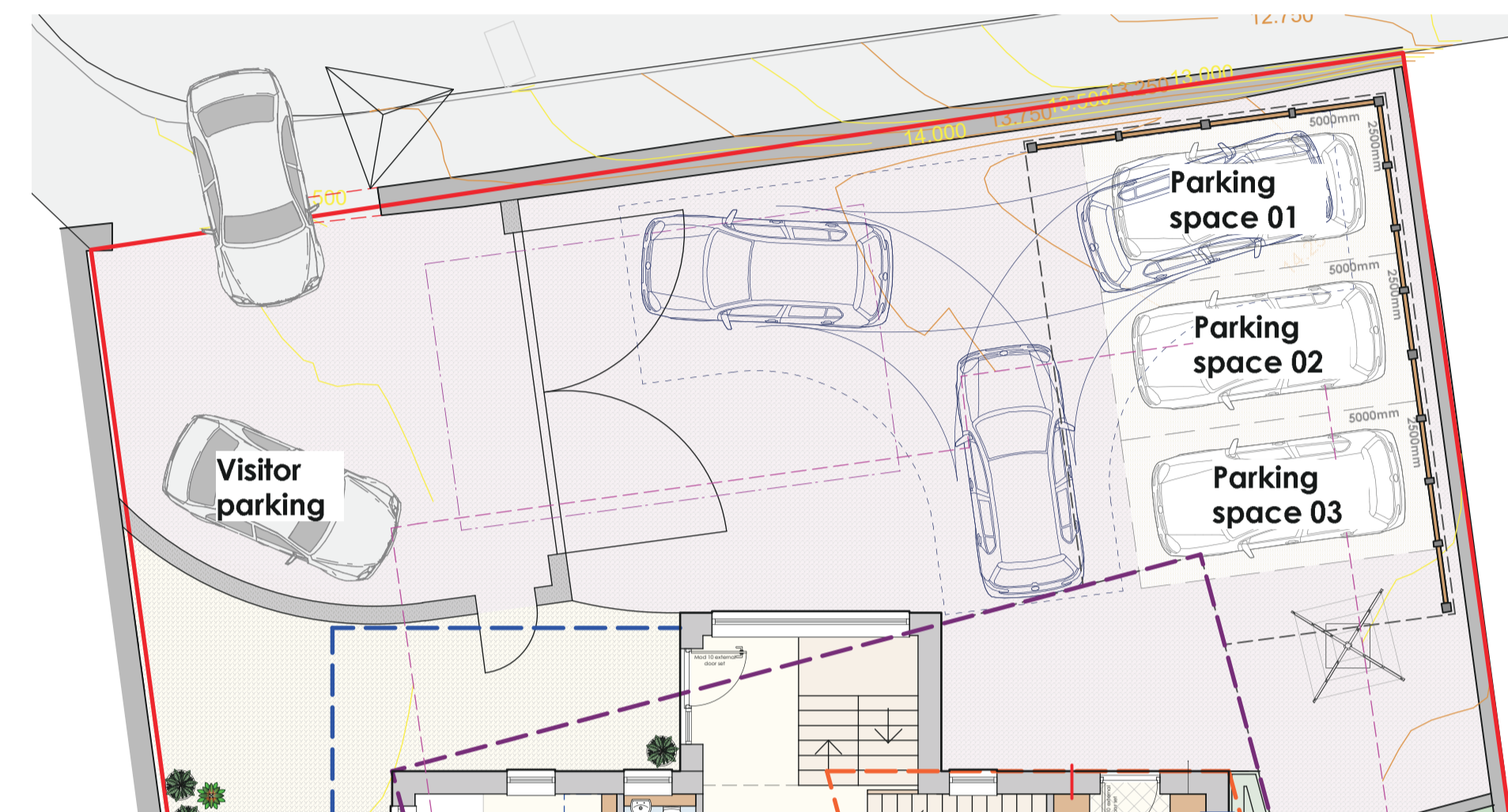
CARPORT ELEVATION
(Scale 1:50)



CARPORT ELEVATION
(Scale 1:50)



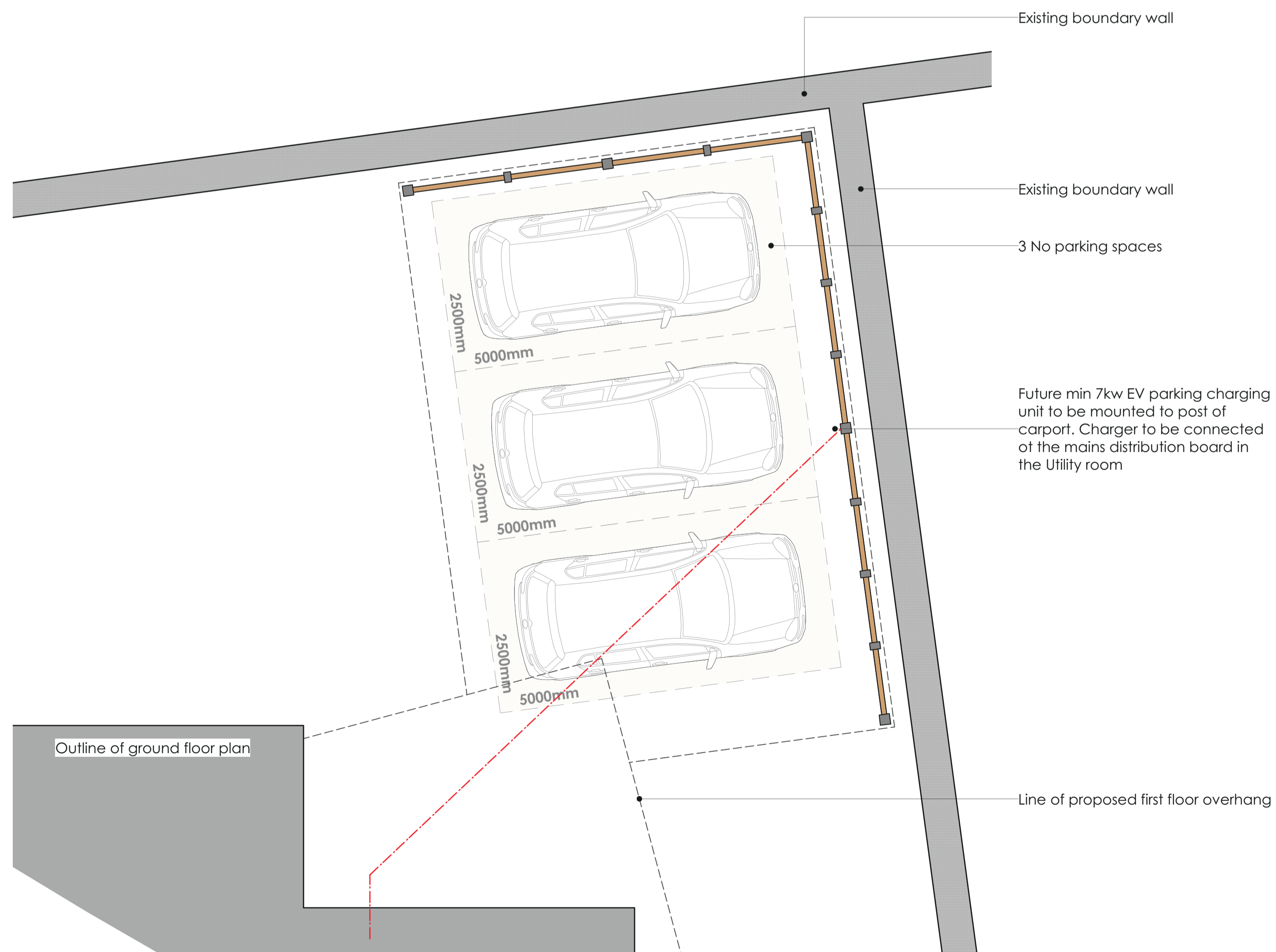
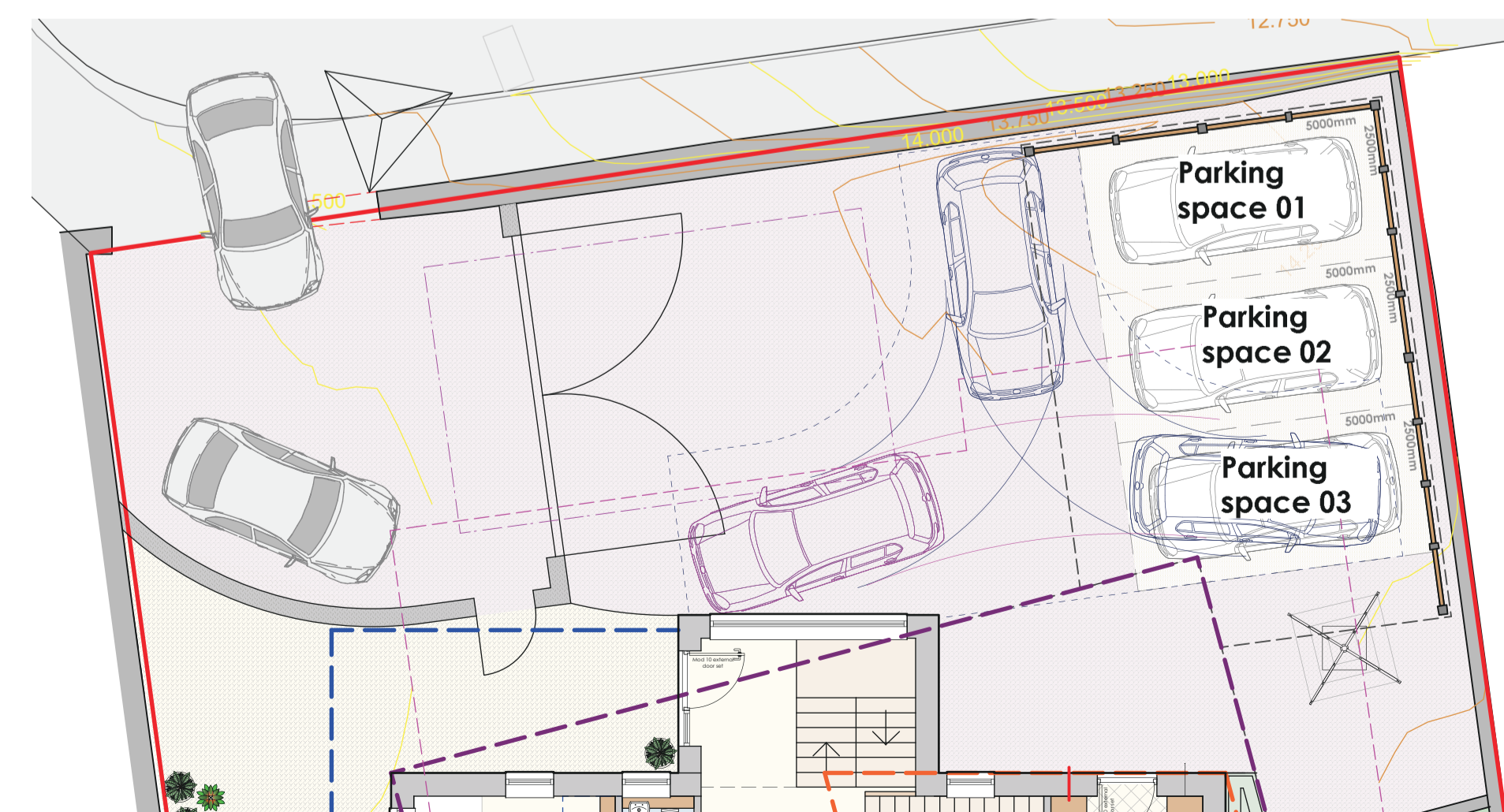
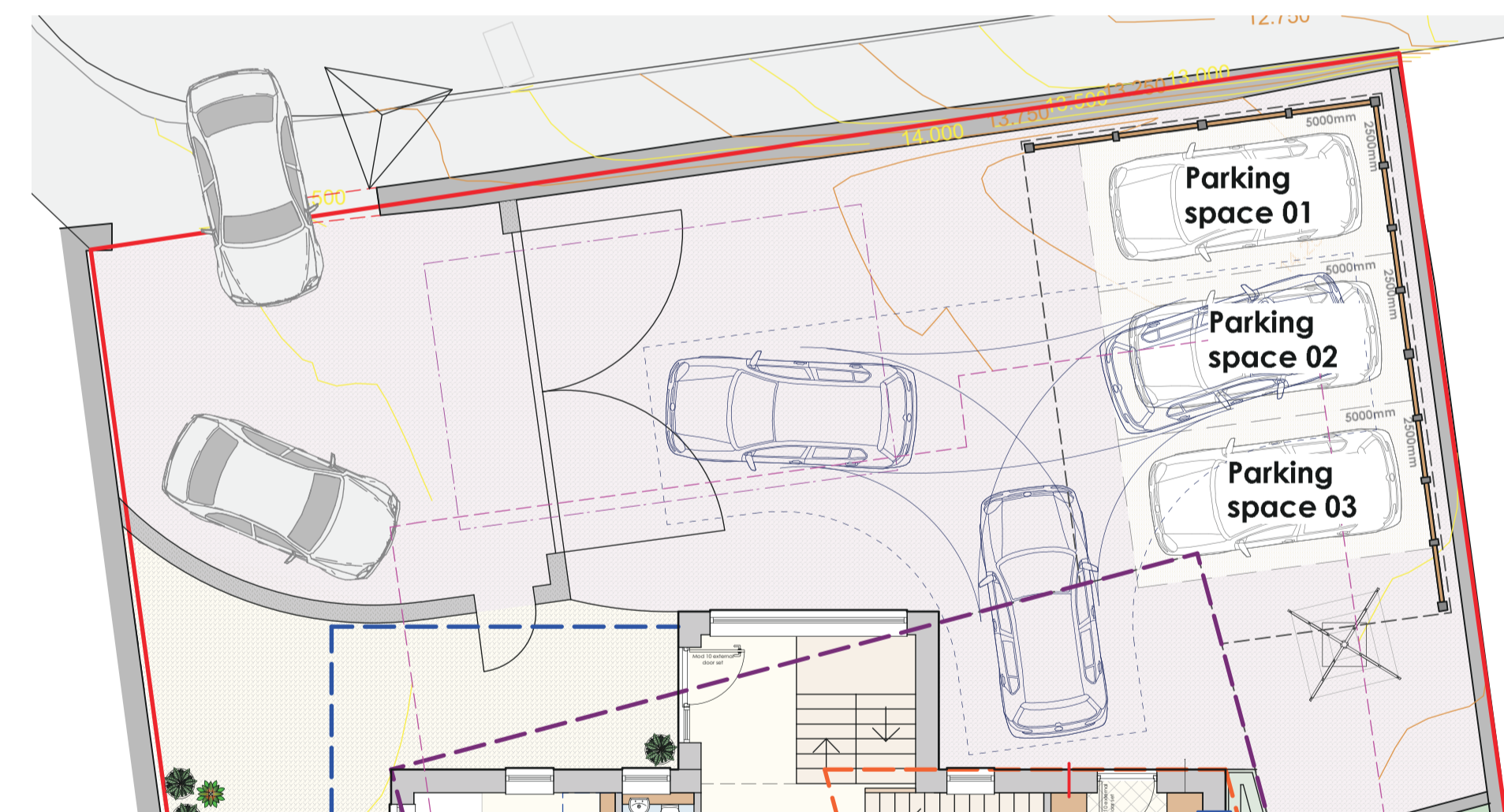
EXAMPLE IMAGE OF CARPORT
STYLE AND MATERIALS



Parking spaces 1 & 2 can easily enter and exit in a forward gear by carrying out a simple 3 point turn.

Parking space 3 will require an additional manoeuvre but can easily enter and exit in a forward gear.

The plans also allow for additional visitor parking at the entrance. There is ample space within the site to allow for visitors to easily access and turn their vehicle while all parking spaces are occupied.



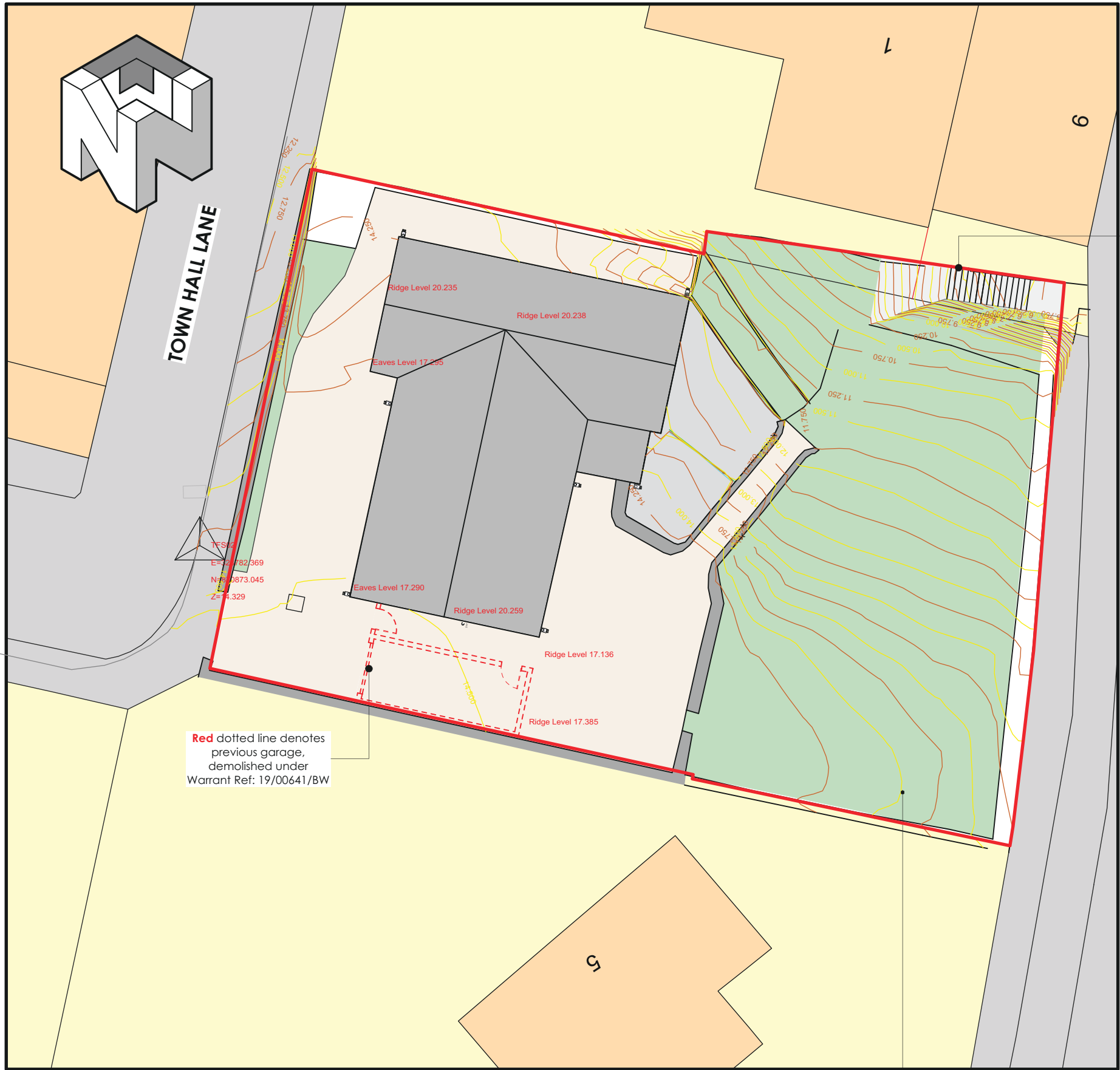
CARPORT LAYOUT
(Scale 1:50)



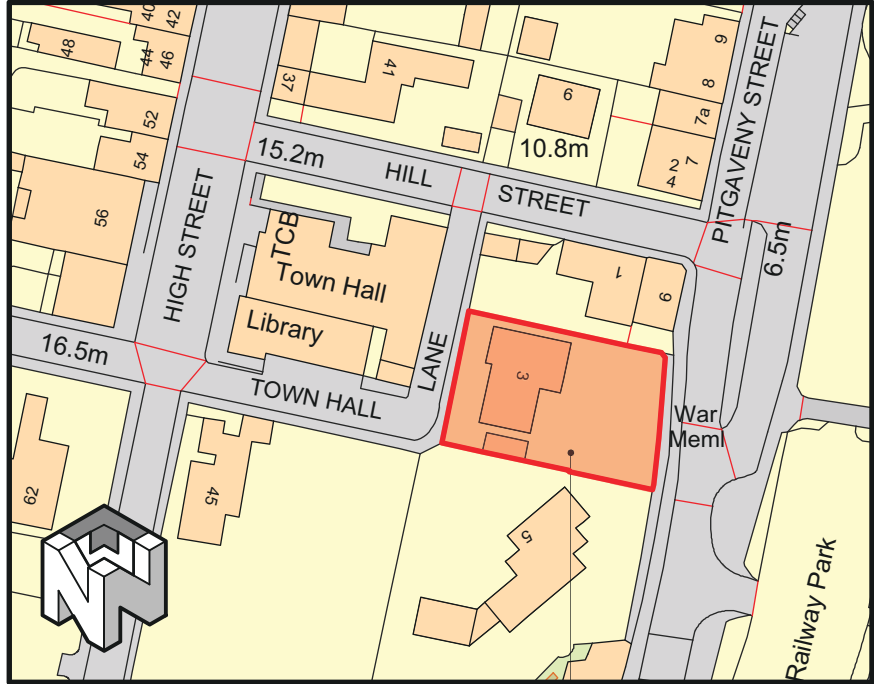
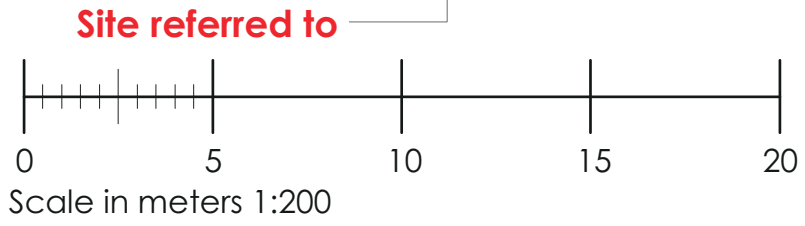
	HEAD OFFICE - MORAY St Brendans, 69 South Guildry Street, Elgin, IV30 1QN T 01343 540020 HIGHLANDS 4 Bridge Street, Nairn, Highlands, IV12 4EJ T 01667 300230 M 0781 3872818 W cmdesign.biz E office@cmdesign.biz	LOSSIEMOUTH OFFICE Elie, James Street, Moray, IV30 4BX T 01343 810175 DEVON OFFICE T 01392 345566
	Mrs E. Stennett Demolish Existing House and Erect New 4 Bed Dwelling at 3 Town Hall Lane, Lossiemouth PLANNING PROPOSALS Carport layout & Vehicle turning circles Date: Amendments: Rev:	
Drawn By: A. CARSWELL	Date: 24.11.21	Checked By: Date:
210046.STENNETT.06PP		

DO NOT SCALE OFF DRAWINGS. ALL SIZES ARE TO BE CHECKED CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORKS/ORDERING OF MATERIALS. NO WORK TO COMMENCE BEFORE APPROPRIATE APPROVALS ARE GRANTED CONTRACTORS RESPONSIBILITY TO ENSURE POSSESSION OF APPROVED DRAWINGS

CONTRACTOR/CLIENT TO ENSURE THAT ONLY THE APPROVED BUILDING WARRANT DRAWINGS ARE USED FOR CONSTRUCTION

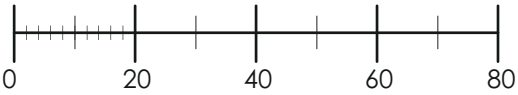


SITE PLAN 1:200
Site area approx. 772sqm



Site referred to

LOCATION PLAN 1:1250



Scale in meters 1:1250



Oikos Architectural Ltd Registered in Scotland No. 272963

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

LOSSIEMOUTH OFFICE
Ellet, James Street, IV30 6BX
† 01343 810175

HIGHLANDS
4 Bridge Street, Nairn, Highlands, IV12 4EJ
† 01667 300230

DEVON OFFICE
† 01392 345566

m 0781 3872818 w cmdesign.biz e office@cmdesign.biz

Mr & Mrs Stennett

Demolish existing House and Erect new 4 bed dwelling at 3 Town Hall Lane, Lossiemouth

SURVEY DRAWING
SITE AND LOCATION PLANS

Date:	Amendments:	Rev:
Drawn By:	Date:	Checked By:
A. CARSWELL	08.03.19	

210046.STENNETT.06SV

DESIGN STATEMENT

DEMOLISH EXISTING DWELLING AND ERECT NEW DWELLING AT No. 3 TOWN HALL LANE, LOSSIEMOUTH

Ref: 210046

1.0 INTRODUCTION:

- 1.1 This **Design Statement** has been prepared by **CM Design Architectural & Town Planning Consultants** in response to the requirements of the Moray Local Development Plan 2020
- 1.2 The Proposal relates to the replacement of a structurally unsound 70's bungalow with more contemporary and bespoke house that more suitably befits the site location and sea views.

2.0 SITE LOCATION

- 2.1 Despite occupying a cliff top location, the presence of an existing house at 3 Town Hall Lane, Lossiemouth tucked behind the large Town Hall, would perhaps be a surprise to many.
- 2.2 The Lane itself only serves two households and it is important to note that the only other house on this lane was also demolished and replaced recently.



- 2.3 The site is significantly disadvantaged by the overbearing scale of the Town Hall which overlooks the frontage. This is more than compensated by the astounding views available to the rear of the house facing East over the Moray Firth.

Head Office - Moray

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2.8 Given the screened and private nature of the site and its cliff top view over the Moray Firth it is was decided to propose a demolition of the existing building in favour of a bespoke home more befitting of the location.

2.9 This approach to redevelopment was recently employed next door at 5 Town Hall Lane, in which the existing Victorian property was demolished in favour of a more contemporary design.

2.10 The Handling Report for this neighbouring application highlighted **“the diversity of the property in the area in terms of age allows for the introduction of a more contemporary design on the site”**



Figure 1 - elevations of neighbouring approved replacement house

2.11 Extensive geotechnical surveys have been carried out upon the site which confirmed the suitability of a housetype that uses the natural underlying rock form in terms of layout, position and design.



pic showing overbearing nature of existing Town Hall building to the west

3.0 PROPOSALS

3.1 The proposals represent a rare opportunity to introduce an especially bespoke, brave and striking house design to the Moray architectural landscape

3.2 The site is particularly suitable for a brave design proposal such as this due to several site-specific factors, such as :

- the private location of the site
- The overbearing nature and scale of the Town Hall building to the west
- the lack of readily accessible vantage points from which the proposals can be seen
- the nature of surrounding houses in terms of topography, scale and style
- the clear value in maximizing the enjoyment of probably one of the best views over the Moray Firth available anywhere on the Moray Coast



3.3 The design ethos was led by several factors and needs such as

- Maximizing garden ground with adequate sunlight and outwith the shadow of the Town Hall building
- Forming the various floors of the building on the firm rock sub strata and without the need for imported fill.
- Maintaining pedestrian access to Pitgaveny Street and the foreshore for surfing and such like.
- Minimizing roof and ridge height
- Maximizing glazing and views to the East and solar gains from the west and south.

3.4 With there being absolutely no amenity on the western entrance to the site (Town Hall Lane) it is clear that all amenity needs to be found on the East side of the house and this design seeks to maximise this with a small grass area, adjoining fire pit and patio and a basement roof terrace situated at existing garden level

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3.5 The chosen finishes of aluminium cladding, render and cementitious boarding have been selected to withstand the harsh elements of the North East orientation and to present a simplicity that reflects the aesthetic of the new neighbouring property at No5.

3.6 The example pictures below provide an idea of the warm and resilient aesthetic being pursued here.



3.7 Any perceived issue with “overlooking” to the side elevations of any terraced or decked area can be mitigated by obscure and higher level balustrades but the nature and low level of all flanking properties not require or justify any need for mitigation in this regard.



view from south east

3.8 The nature and limited of use of Town Hall Lane by the general Lossiemouth public would suggest that this new proposal would have no impact on the Streetscape in this regard.



view from Town Hall Lane

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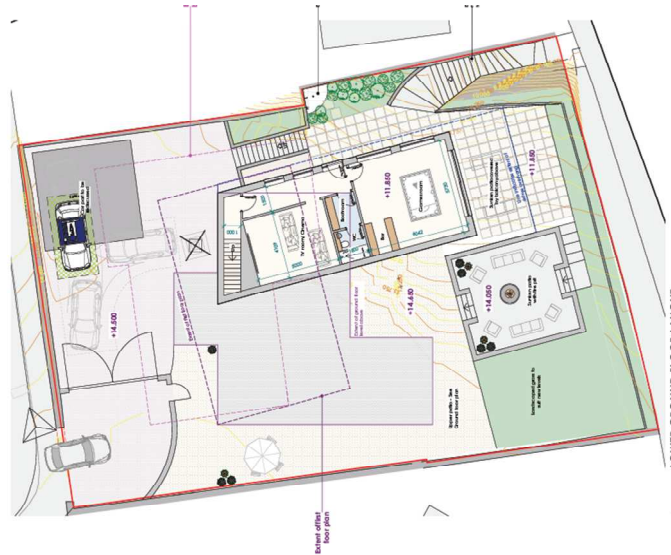
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- 3.9 The proposed flat roof level remains in keeping with the existing ridge height of the of the house to be demolished and in any case, is lower than the neighbouring property at No5 Town Hall Lane and dwarfed by t4he Town Hall building itself. bedroom
- 3.10 The 3 floor levels take appropriate advantage of the site topography and geology and provide for a feature-full yet moderate 4-bedroom home.



3.11 In terms of prominence on the streetscape, the proposed house will continue to not be visible when approaching from the south along Pitgaveny Street but will be visible incrementally from the north as shown on the pictures below



view along Pitgaveny Street from south



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- 3.12 The existing house starts to become more visible to pedestrians enjoying the gardens around the Station Park and this is where the proposed house design will present a striking and exciting addition to the streetscape as can be seen on the pics below.



- 3.13 The final pic demonstrates the change in levels between residences and the stair access to be maintained from Pitgaveny Street. This streetscape, site levels, view and sub-strata invites a creative design solution such as this.

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4 POLICY COMPLIANCE

- 4.8 Section 25 of the Town and Country Planning (Scotland) Act 2006 requires that applications be determined in accordance with the current Moray Local Development Plan unless material considerations indicate otherwise.
- 4.9 This application represents the need to replace the existing house for reasons of structural stability and thus the principle of a new house on the site is supported by Policy
- 4.10 A separate Drainage Statement has been submitted with this application that details the strategy with regard to on-site and off-site drainage measures.
- 4.11 Parking and Access matters will see an improvement by this application which includes for increased on-site parking and the ability to access and egress in a forward gear.
- 4.12 The material matters that might arise from this application would relate to the issue of design
- 4.13 It should be noted that there are no specific policies of the MLDP that prevent replacement of unlisted properties within settlements and this application should be assessed on its individual merits.
- 4.14 Policy directions in relation to house "alterations" are probably more relevant in this case and this application should be considered as contemporary and worthy of unique consideration.
- 4.15 Policy PP1 – encourages the creation of distinctive place and calls for variety of design where appropriate.



extract from Policy PP1 MLDP

- 4.16 Policy DP1 – calls set out compliance criteria relating to siting, privacy, impact, scale, character, amenity solar gain etc
- 4.17 The proposed design reflects the West – East orientation of the existing house in terms of protecting the privacy of immediate neighbours and the contemporary design ensures that the impact of the building on the streetscape is minimized whilst also providing for an eye-catching architectural feature.
- 4.18 This design and application is considered to comply with current policy in all respects.**

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DRAINAGE STATEMENT

DEMOLISH EXISTING DWELLING AND ERECT NEW DWELLING AT
No. 3 TOWN HALL LANE, LOSSIEMOUTH

Ref: 210046

INTRODUCTION:

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

Scottish Planning Policy (SPP) requires Planning Authorities to take into account Flood risk when considering new development. This Drainage Statement confirms there to be no flood risk issues on the application site whatsoever.

This statement has been prepared in line with the Supplementary Guidance produced by Moray Council dated Feb 2019.

SITE DESCRIPTION:

The proposed site is situated in an elevated position upon a cliff top at 3 Town Hall Lane Lossiemouth and equates to approximately **769sqm**.

The site hosts an existing single storey dwelling house and associated hardstandings. The existing house is to be demolished.

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

A basic site level survey has also been carried out demonstrating how the site gently slopes North & East in an elevated position.

SITE CONDITIONS:

The site is believed to have good infiltration rates based on a walkover survey and the presence of the existing property. There have been no excavation or percolation tests carried out for this proposed design at this stage. GMC have been initially consulted and a report will follow.

The neighbouring dwelling was recently demolished and also replaced with a new building and in which on-site drainage measures have been implemented without difficulty.

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Friday 28th July 2021

DRAINAGE DESIGN:

All private foul water and storm water arrangements are both dealt with robustly at the Building Warrant stage of any development.

The foul water will be connecting into the existing mains sewer. Surface water will be managed by an arrangement of on-site SUDS soakaways, porous driveway and rainwater harvesting.

GMC Surveys have been consulted in this regard and a report will be submitted in due course.

All drainage will inevitably be designed by a qualified engineer and will conform to Technical Standard handbook design and ensure that the Post-development runoff rate does not exceed the pre-development runoff rate or increase the risk of flooding risk through any discharge to a receiving watercourse.

Furthermore, any such design will be wholly dependent on the final design of the housetype on site and this is again more appropriately dealt with at Building Warrant stage.

We trust this Drainage Statement alleviates any flooding concerns in the meantime.

Sincerely yours,

ANNA CARSWELL

ARCHITECTURAL TECHNOLOGIST

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gmsurveys

Surveys, Setting-Out Civil Engineering Design

Site Investigation & Drainage Assessment

TOWN HALL LANE

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Company Information:	2
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Site Description:	3
Existing Drainage Arrangements:	3
Ground Conditions:	5
Conclusion:	4
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Client:

Mr and Mrs Stennet

Site Address:

Proposed Replacement Dwelling
3 Town Hall Lane
Lossiemouth

Planning Reference:

TBC

Date:

30th November 2021

Job Number:

GMC21-071

Company Information:

Assessment completed by:

Gary Mackintosh Bsc

GMCSurveys

34 Castle Street

Forres

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Email: gmcsurveys@gmail.com

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Introduction:

The proposals are to erect a new modern dwelling to replace the former property at 3 Town Hall Lane, Lossiemouth together with all required infrastructure.

The SEPA Flood Maps have been consulted which indicate that the site is not at risk of fluvial or pluvial flooding during a 1:200year event. Some surface water flooding is shown within town hall lane however the topography of the area and the proposed site would suggest that the development would have no impact on any existing surface water issues.

GMC Surveys have been asked to carry out investigations in order to provide a drainage solution for the proposals.

Existing Drainage Arrangement:

The foul water from the existing property makes a direct connection to the public sewer located within Town Hall Lane. It is proposed that the foul water connection is maintained for the proposed development.

A Site investigation provided no evidence of an existing surface water soakaway therefore it is assumed that the surface water runoff from the existing roof area discharges to the public sewer via the existing connection.

Ground Conditions:

Excavations were carried out using a mechanical digger on 26th June 2019 to assess the existing ground conditions and carry out infiltration and percolation testing for the dispersal of foul and surface waters via soakaways.

The trial pits were excavated to depths of 1.5m. The pits were left open and no ground water was encountered.

The excavations provided existing ground conditions of 400mm Topsoil overlying sandy gravel with larger mixed round stone and gravel to the extent of the test pit.

Trial Pit Location can be found in Appendix A.

Infiltration testing:

Infiltration testing was carried out in full accordance with BRE digest 365. The results can be found in the table below.

Infiltration Test	Pit Dimensions (w/l)	Test Zone (mbgl)	Infiltration Rate (m/s)
INF01	0.8mx 1.0m	0.5 – 1.5	4.8×10^{-5}

Conclusion and Recommendations:

Based on the site investigations the ground conditions are suitable for the use of infiltration as a method of surface water management.

A review of the proposed layout for the development has been carried out. The site is to introduce many hardstanding areas with varying structure positions and levels. It is considered therefore that there is insufficient space within the site to utilise infiltration devices without causing detriment to existing and proposed structures.

Scottish Water require that any discharge from a new development must not lead to a net increase of flow volume up to a 1:30year event.

Storage and re – use of surface waters will therefore be required to ensure that there is no discharge from the development up to a 1:30year event.

Surface Water Disposal:

In keeping with good practice and CIRIA/local Council policy it is proposed to install Rainwater Harvesting as a sustainable method of surface water management for the proposed hard standings and roof area. The rainwater harvesting tank is to be used to carry out general garden maintenance and also for grey water use within the property such as W/C flushing. It is the intention that the stored waters are to be fully re used within the site and that an overflow is only to be installed to discharge during events exceeding a 1:30year event in line with Scottish Water Policy. The overflow is to make a connection to the existing site discharge to Town Hall Lane.

An area of the new house roof has been proposed as a Sedum or Green Roof. Whilst this may assist in the storage and management of surface water within the site, evidence is still required as to the effectiveness as a final solution. The build up of water over a period of consistent rain will still require an outfall therefore the full roof area of the property is to be considered.

Based on a 0.5l/s discharge rate and the proposed hard standing/roof area of 430m² the storage volume required for a 1:30year event with 35% allowance for climate change has been calculated as 13.40m³ or 13,400litres. The next available standard sizing would be 15,000litres or 15.0m³ providing additional storage over and above the required volume ensuring that the Scottish Water requirements can be met.

The final tank design will be a bespoke design carried out by the manufacturers to meet the requirements outlined in this report. Details of the Graff Platin 15.000litre High Water House direct have been provided to accompany this report being the recommended tank in line with the above sizing and use. The final internal/external pipework arrangement is to be established by the appointed architect during the Building Warrant Application.

The indicative/proposed tank location is shown within Appendix A.

There are additional hardstanding areas set at a lower level to the proposed tank location which should be formed in permeable paving to ensure the surface water is managed within all areas of the site.



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Job No. GMC21-071		
Sheet no. 1		
Date 30/11/21		
By GM	Checked	Approved

Project Town Hall Lane, Lossiemouth
Title Surface Water Storage Requirements

Data:-

Location = LOSSIEMOUTH Grid reference = NJ2370
M5-60 (mm) = 12 r = 0.26
Soil index = 0.40 SAAR (mm/yr) = 700
Return period = 30 WRAP = 3
UCWI = 0.0 Climate change = +35%

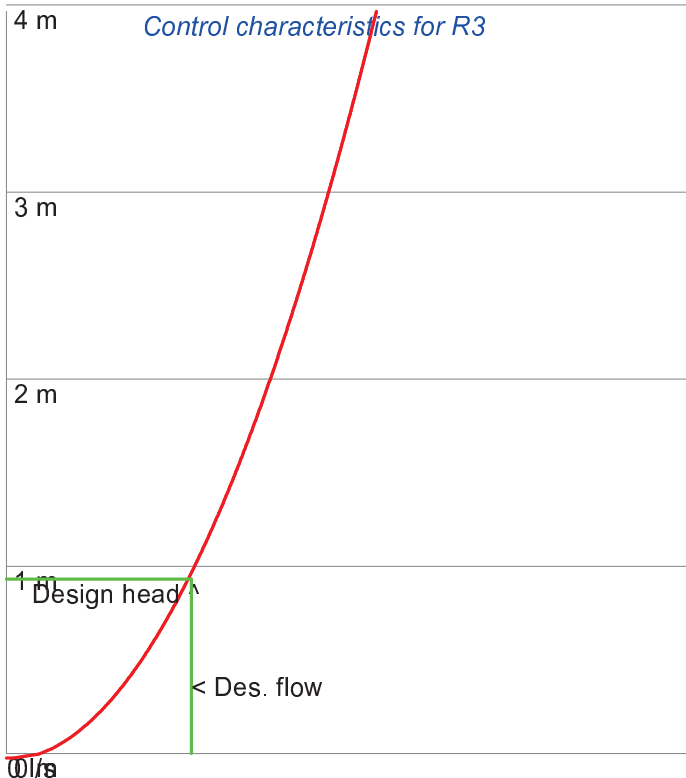
- i) Relatively impermeable soils in boulder and sedimentary clays, and in alluvium, especially in eastern England;
- ii) Permeable soils with shallow ground water in low-lying areas;
- iii) Mixed areas of permeable and impermeable soils, in approximately equal proportions.

Percentage runoff = 95.0% (manual setting)

Imperv. area = 430 m² Pervious area = 0 m²
Total area = 430 m² Equiv area = 408 m² (Tot. area x % runoff).
Total runoff = 22.7 m³ Discharge rate = 0.500 l/s

Design Head = 1.0m Peak flow = 0.50 l/s
Control device = R3 Orifice diam = 19.8 mm
Max. calc. depth = 1.0 m Available depth = 0.0 m³

Pipeline storage = 0.0 m³ Available MH storage = 0.0 m³
Offline storage = 0.0 m³
Total storage = 13.4 m³ Peak input flow = 2.47 l/s



Head (m)	Flow (l/s)	Head (m)	Flow (l/s)
0.01	0.02	2.01	0.71
0.05	0.11	2.05	0.72
0.10	0.16	2.10	0.72
0.15	0.19	2.15	0.73
0.20	0.22	2.20	0.74
0.25	0.25	2.25	0.75
0.30	0.27	2.30	0.76
0.35	0.30	2.35	0.77
0.40	0.32	2.40	0.77
0.45	0.34	2.45	0.78
0.50	0.35	2.50	0.79
0.55	0.37	2.55	0.80
0.60	0.39	2.60	0.81
0.65	0.40	2.65	0.81
0.70	0.42	2.70	0.82
0.75	0.43	2.75	0.83
0.80	0.45	2.80	0.84
0.85	0.46	2.85	0.84
0.90	0.47	2.90	0.85
0.95	0.49	2.95	0.86
1.00	0.50	3.00	0.87
1.05	0.51	3.05	0.87
1.10	0.52	3.10	0.88
1.15	0.54	3.15	0.89
1.20	0.55	3.20	0.89
1.25	0.56	3.25	0.90
1.30	0.57	3.30	0.91
1.35	0.58	3.35	0.92
1.40	0.59	3.40	0.92
1.45	0.60	3.45	0.93
1.50	0.61	3.50	0.94
1.55	0.62	3.55	0.94
1.60	0.63	3.60	0.95
1.65	0.64	3.65	0.96
1.70	0.65	3.70	0.96
1.75	0.66	3.75	0.97
1.80	0.67	3.80	0.97
1.85	0.68	3.85	0.98
1.90	0.69	3.90	0.99
1.95	0.70	3.95	0.99
2.00	0.71	4.00	1.00



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Job No. GMC21-071		
Sheet no. 2		
Date 30/11/21		
By GM	Checked	Approved

Project **Town Hall Lane, Lossiemouth**

Title **Surface Water Storage Requirements**

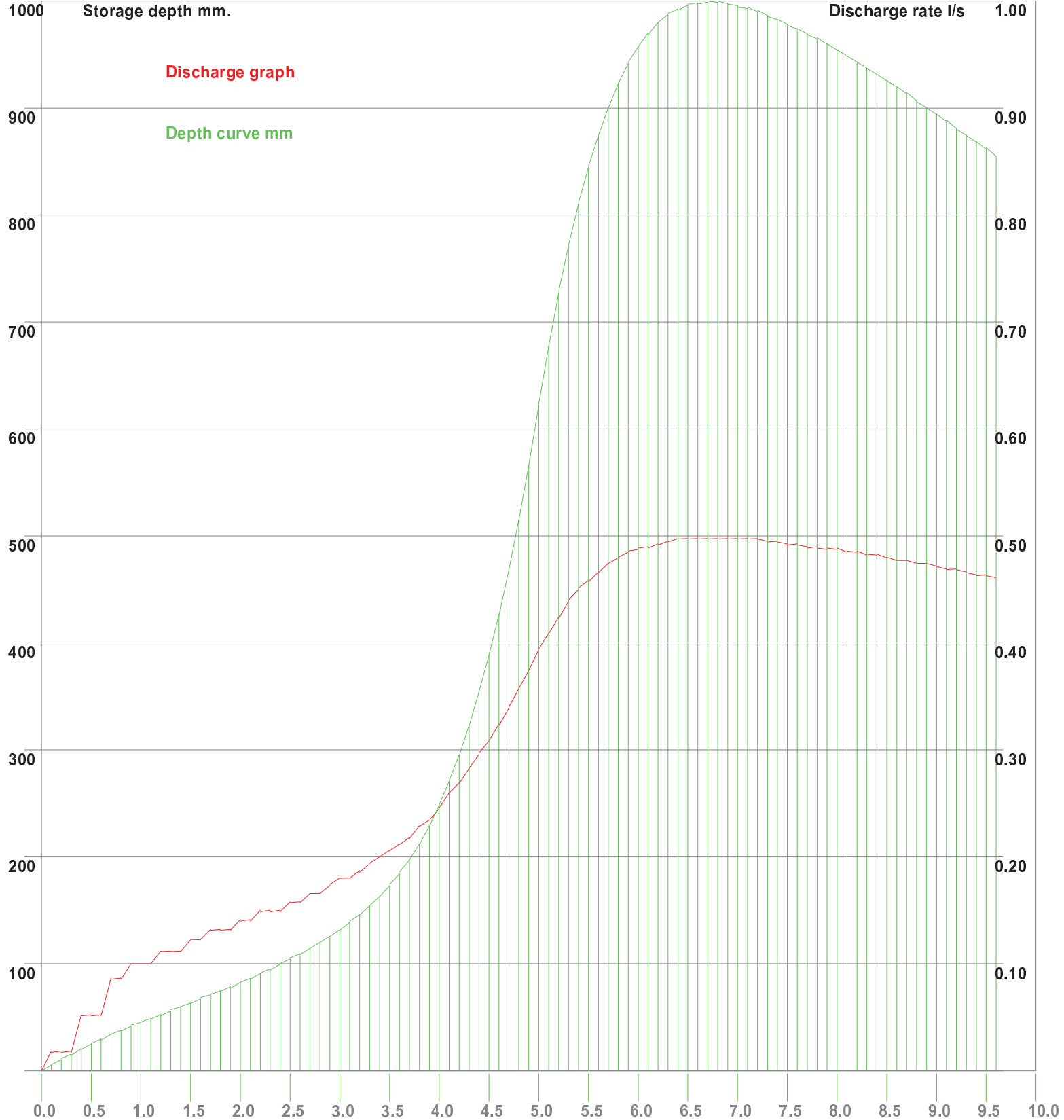
Storage curves for a 10 hours storm.

Storage depth mm.

Discharge rate l/s

Discharge graph

Depth curve mm





Job No. GMC21-071		
Sheet no. 3		
Date 30/11/21		
By	Checked	Approved
GM		

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Project	Town Hall Lane, Lossiemouth
Title	Surface Water Storage Requirements

Incremental rainfall figures.

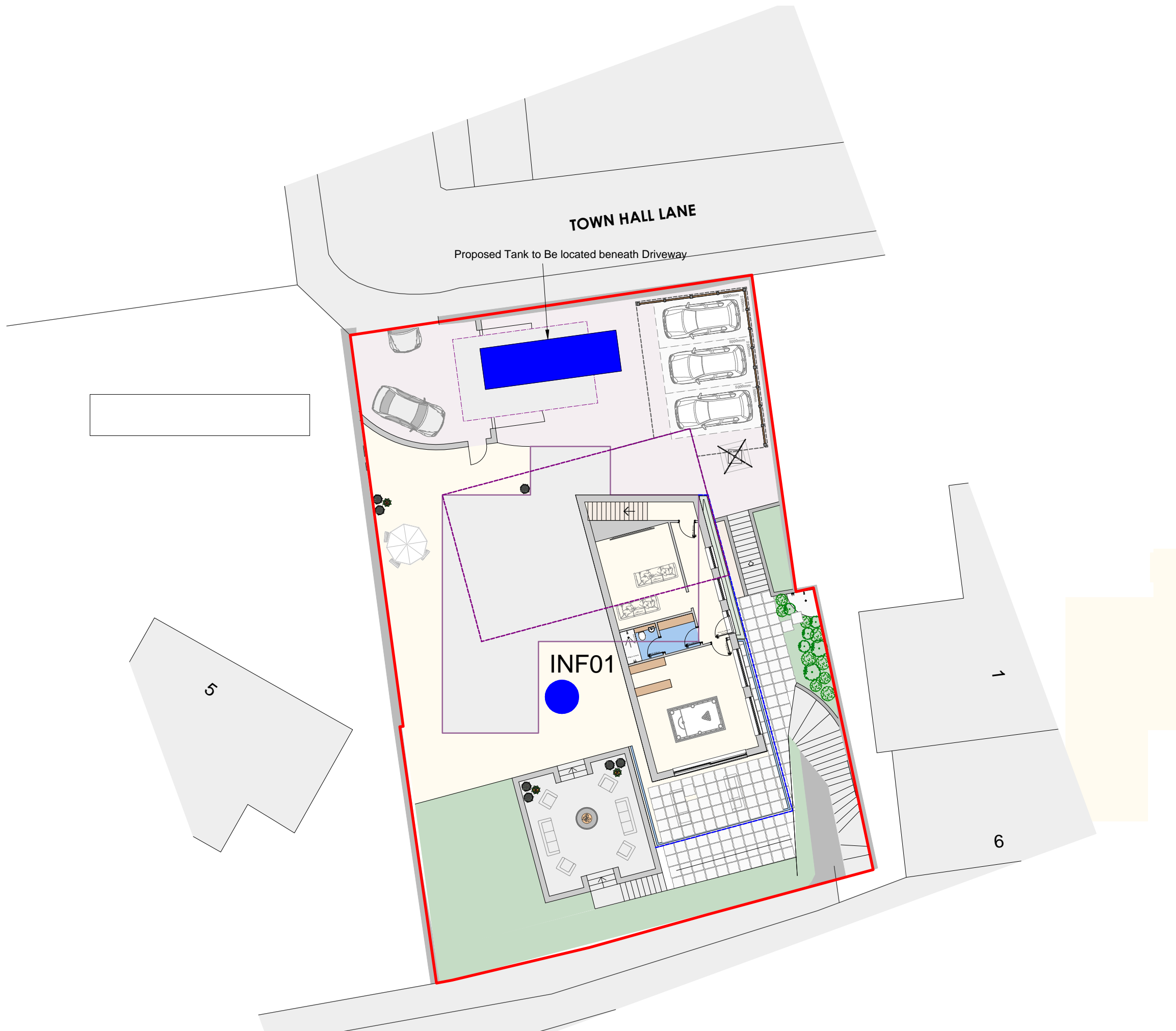
Storm Mins	Storage Depth mm	Control Flow l/s	Storm Mins	Storage Depth mm	Control Flow l/s
6.0	5.4	0.02	306.0	677.7	0.41
12.0	10.5	0.02	312.0	727.2	0.42
18.0	15.6	0.02	318.0	771.2	0.44
24.0	20.8	0.05	324.0	810.2	0.45
30.0	25.2	0.05	330.0	844.4	0.46
36.0	29.7	0.05	336.0	874.3	0.47
42.0	34.2	0.09	342.0	900.3	0.47
48.0	37.9	0.09	348.0	922.7	0.48
54.0	41.7	0.10	354.0	941.6	0.48
60.0	45.3	0.10	360.0	957.4	0.49
66.0	48.8	0.10	366.0	970.0	0.49
72.0	52.6	0.11	372.0	979.8	0.49
78.0	56.0	0.11	378.0	987.3	0.49
84.0	59.6	0.11	384.0	992.6	0.50
90.0	63.3	0.12	390.0	996.0	0.50
96.0	67.1	0.12	396.0	998.0	0.50
102.0	71.0	0.13	402.0	998.9	0.50
108.0	74.7	0.13	408.0	998.7	0.50
114.0	78.6	0.13	414.0	997.5	0.50
120.0	82.6	0.14	420.0	995.6	0.50
126.0	86.6	0.14	426.0	993.1	0.50
132.0	90.9	0.15	432.0	990.0	0.50
138.0	95.2	0.15	438.0	986.4	0.49
144.0	99.7	0.15	444.0	982.6	0.49
150.0	104.5	0.16	450.0	978.4	0.49
156.0	109.4	0.16	456.0	974.0	0.49
162.0	114.6	0.17	462.0	969.4	0.49
168.0	119.9	0.17	468.0	964.5	0.49
174.0	125.8	0.17	474.0	959.5	0.49
180.0	132.0	0.18	480.0	954.1	0.49
186.0	138.6	0.18	486.0	948.7	0.48
192.0	145.9	0.19	492.0	943.1	0.48
198.0	154.1	0.19	498.0	937.3	0.48
204.0	163.1	0.20	504.0	931.5	0.48
210.0	173.1	0.21	510.0	925.6	0.48
216.0	184.3	0.21	516.0	919.5	0.48
222.0	197.2	0.22	522.0	913.3	0.48
228.0	212.1	0.23	528.0	906.9	0.47
234.0	229.0	0.23	534.0	900.6	0.47
240.0	248.4	0.24	540.0	894.1	0.47
246.0	270.5	0.26	546.0	887.6	0.47
252.0	295.3	0.27	552.0	881.1	0.47
258.0	323.2	0.28	558.0	874.6	0.47
264.0	354.2	0.30	564.0	868.0	0.46
270.0	388.5	0.31	570.0	861.5	0.46
276.0	426.5	0.32	576.0	854.7	0.46
282.0	468.5	0.34	582.0	848.1	0.46
288.0	514.9	0.36	588.0	841.4	0.46
294.0	565.8	0.37	594.0	834.6	0.46
300.0	622.0	0.39	600.0	827.8	0.45

Using the Get Max button causes the program to step through a series of storm durations until a maximum volume is obtained.

Each duration is sampled 600 times and the results recorded. The storm durations (hrs) are:-

0.25, 0.5, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 18, 20, 24, 30, 36, 42, 48, 54, 60, 66, 72, 84, 96, 120, 150, 175, 200, 250, 300, 375, 500, 750, 1000, 1250, 1500, 1570, 2000, 2500, 3000, 3500, 4000

It should be noted that the six hour storm frequently requested rarely demonstrates the worst case for storage.

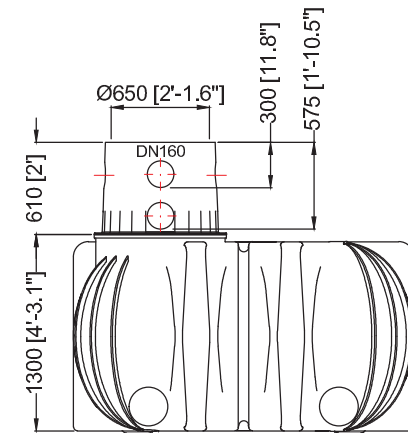
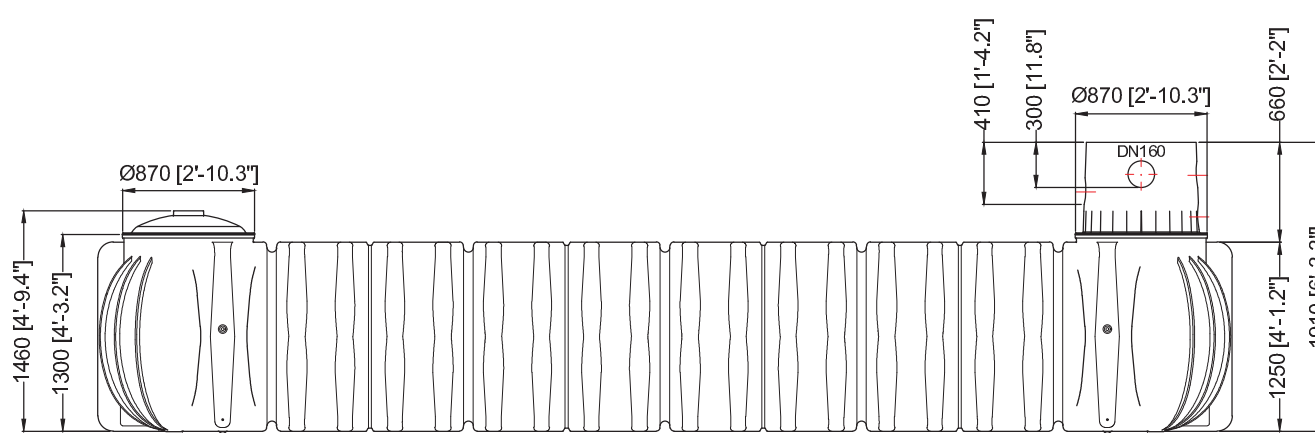
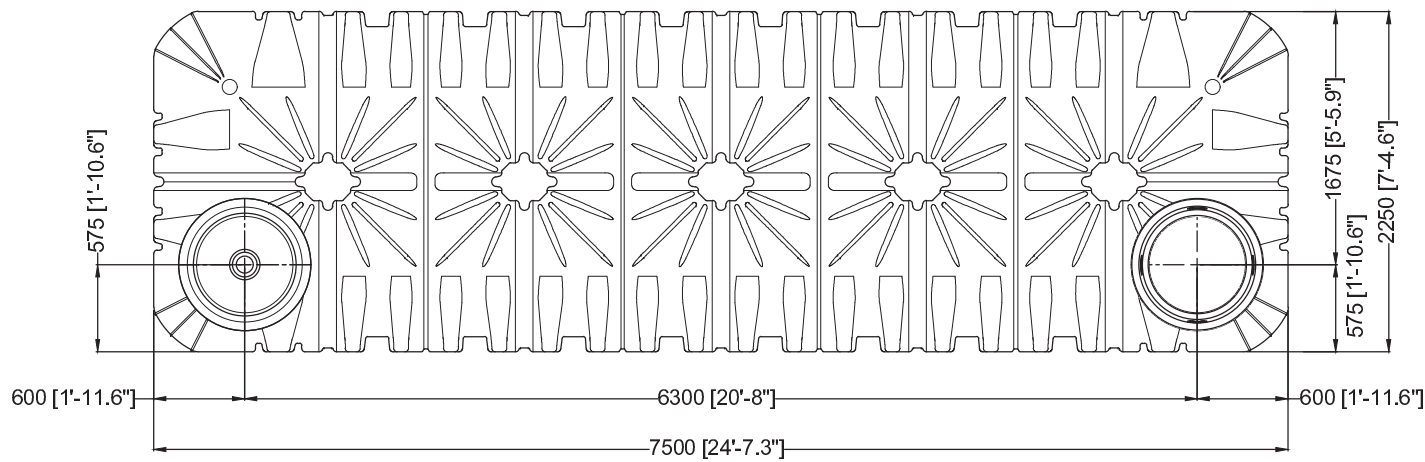



REV.	DESCRIPTION	BY:	DATE:
STATUS: ISSUE			

gmcsurveys
 Surveys, Setting Out, Civil Engineering Design
 T: 07557 431 702
 E: gmcsurveys@gmail.com

CLIENT:
 Mr and Mrs Stennet
 Town Hall Lane
 Lossiemouth

SITE: Proposed Replacement Dwelling At Above Address			
TITLE: Test Hole and Proposed Tank Location			
SCALE AT A4: NTS	DATE: NOV21	DRAWN: GM	CHECKED:
PROJECT NO: GMC21-071	DRAWING NO: Appendix A	REVISION: -	



D		GRAF Platin XL - Flachtank 15000 L / 3962,6 gal.			Artikel-Nr. product no. article no. artículo no.		390007 (390823 / 371018 / 371065)	
GB	GRAF Platin XL flat tank 15000 L / 3962,6 gal.	ES	GRAF Platin XL Depósito de poco profundidad 15000 L / 3962,6 gal.	FR	GRAF Platine XL Cuve à enterrer 15000 L / 3962,6 gal.	Otto Graf GmbH Carl-Zeiss-Str. 2-6 DE-79331 Teningen mail@graf.info www.graf.info		
gezeichnet, drawn	EMU	Gewicht, weight	710 kg	revision				
Datum, date	2019.04.05	Toleranz, tolerance	+/- 3%	Maßstab, scale	M 1:50			

Louise Dunn

From: DeveloperObligations
Sent: 03 September 2021 09:46
To: Shona Strachan
Cc: DC-General Enquiries
Subject: 21/01277/APP Demolish existing house and erect new dwellinghouse at 3 Town Hall Lane, Lossiemouth, IV31 6DF

Hi,

No developer obligations are being sought due to this proposal being a replacement dwelling.

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](#)

Consultee Comments for Planning Application 21/01277/APP

Application Summary

Application Number: 21/01277/APP

Address: 3 Town Hall Lane Lossiemouth Moray IV31 6DF

Proposal: Demolish existing house and erect new dwellinghouse at

Case Officer: Shona Strachan

Consultee Details

Name: Mr CL Consultations

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

Email: Not Available

On Behalf Of: Contaminated Land

Comments

Approved unconditionally

Consultee Comments for Planning Application 21/01277/APP

Application Summary

Application Number: 21/01277/APP

Address: 3 Town Hall Lane Lossiemouth Moray IV31 6DF

Proposal: Demolish existing house and erect new dwellinghouse at

Case Officer: Shona Strachan

Consultee Details

Name: Mr EH Consultations

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

Email: Not Available

On Behalf Of: Environmental Health C12

Comments

Approved unconditionally

Wednesday, 01 September 2021



Local Planner
Development Services
Moray Council
Elgin
IV30 1BX

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

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



Dear Customer,

3 Town Hall Lane, Lossiemouth, IV31 6DF
Planning Ref: 21/01277/APP
Our Ref: DSCAS-0047664-VBV
Proposal: Demolish existing house and erect new dwellinghouse

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 Badentinan Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

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

Please Note

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

Surface Water

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

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

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

General notes:

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

- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

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

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

▶ Non Domestic/Commercial Property:

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

▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and 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,

Angela Allison

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."

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	14th September 2021
Planning Authority Reference	21/01277/APP
Nature of Proposal (Description)	Demolish existing house and erect new dwellinghouse at
Site	3 Town Hall Lane Lossiemouth Moray IV31 6DF
Site Postcode	N/A
Site Gazetteer UPRN	000133003672
Proposal Location Easting	323795
Proposal Location Northing	870879
Area of application site (M²)	800
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=QY0U1UBGHCQ00
Previous Application	19/01505/APP
Date of Consultation	31st August 2021
Is this a re-consultation of an existing application?	No
Applicant Name	Mr & Mrs W Stennett
Applicant Organisation Name	
Applicant Address	Lux Farm Playford Road Rushmere Ipswich England IP5 1DA
Agent Name	C M Design
Agent Organisation Name	
Agent Address	St Brendans 69 South Guildry Street Elgin Moray IV30 1QN
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk

PA Response To	consultation.planning@moray.gov.uk
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NOTE:

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

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

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

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

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 21/01277/APP

Demolish existing house and erect new dwellinghouse at 3 Town Hall Lane Lossiemouth Moray IV31 6DF for Mr & Mrs W Stennett

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

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

This proposal is to demolish and replace an existing (occupied) dwelling. A turning area would be required within the site to ensure that vehicles could enter and exit the site in a forward gear. It is not clear from the submitted details whether there is sufficient space to facilitate a turning manoeuvre within the site. It is noted that the existing access is to be widened to 4.5m wide. A car port has also been shown as part of this application (described as "potential future car port subject to future planning application"), therefore presumably the car port does not form part of this proposal. It should be highlighted that the car port would appear to further reduce the manoeuvring space required for vehicles to turn within the site. Confirmation of the status of the car port would be required along with details showing that the turning manoeuvre could be facilitated (vehicle swept paths may be required)

Although EV charging has been identified on the drawing further details are required, namely the location of the future EV charger unit (on a post?); the specification of the infrastructure (capable of supporting a fast charger unit with minimum output 7kw); and showing the location of the consumer unit to which the EV charger would connect to, along with the cabling in between the consumer unit and future EV charger.

Further information required to consider the application

The new dwelling would be required to provide Electric Vehicle (EV) charging infrastructure, and this should be detailed on a drawing (scale 1:200) which confirms the provision of, or location where a future Electric Vehicle (EV) charging unit would be connected to an appropriate electricity supply, including details (written proposals and/ or plans) confirming the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit. Please see 'EV charging guidance <http://www.moray.gov.uk/downloads/file134860.pdf>

Clarification of the status of the car port is required, along with clarification that vehicles would be able to enter and exit the site in a forward gear. Note - parking will be required for three vehicles.

Contact: AG
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 03 September 2021

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.

20 SEP 2021

MANAGIA

MANAGEMENT & BUILDING STANDARDS
DATA TODAY

As per

P/APPLICATIONS 21/00961/AMC +
21/01317/APP + 21/01081/APP + 21/01334/APP +
21/01328/APP + 21/01305/APP + 21/01277/APP +
21/00013/APP + 21/01332/APP

PHASES ENSURE WHATEVER PROTECTION
POSSIBLE TO ALL WILDLIFE THROUGHOUT
MOWS WORKS & STAFF VEHICLES SHOWS
electrical on each site

OF EQUAL IMPORTANCE FROM A
FAUNA AMONG THE CONSIDERABLE
NUMBER OF SPECIES LISTED BY NATIONAL
SCOTLAND PROTECTION IS LIKELY TO
BE ON SOME SITES WHATEVER IS
THE CASE MUST BE CONSIDERED
PRIOR TO DECISION!

NOW AUTUMN A TIME OF HIGH WINDS

Yours faithfully

WIND TURBINES REMAIN A SERIOUS
HAZARD TO WILDLIFE P/F

REPORT OF HANDLING

Ref No:	21/01277/APP	Officer:	Shona Strachan
Proposal Description/ Address	Demolish existing house and erect new dwellinghouse at 3 Town Hall Lane Lossiemouth Moray IV31 6DF		
Date:	01.03.2022	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
Planning And Development Obligations	03/09/21	No objection
Aberdeenshire Council Archaeology Service	14/09/21	No objection
Moray Flood Risk Management	20/12/21	No objection with condition
Environmental Health Manager	06/09/21	No objection
Contaminated Land	01/09/21	No objection
Transportation Manager	08/12/21	No objection subject to conditions and informatives
Scottish Water	01/09/21	No objection subject to pre-Development Enquiry.

DEVELOPMENT PLAN POLICY

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

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: ONE		
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: Comments submitted on multiple applications on the need to protect wildlife, flora and fauna.</p> <p>Comments (PO): The site is an existing established house, the characteristics of the house are such i.e. habited intact modern dwelling in an urban setting that the proposal is not considered to compromise wildlife, flora and fauna.</p> <p>Informative advice could be added to any permission granted to remind the developer of their obligations should bats be encountered during any demolition works.</p>		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Legislative Framework

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

Proposal

Planning permission is sought to demolish existing house and erect new dwellinghouse at 3 Town Hall Lane Lossiemouth.

As advised in the Design Statement, the applicant wishes to remove the existing dwelling from the site and redevelop the site to accommodate a large split level contemporary dwelling because the applicant considers that works needed to sustain and upgrade the existing dwelling are not commensurate to the value of the existing house.

The proposed 4 bedroom house would have a split level design with a "front" two storey western elevation (approx. 6.0m in height) onto Town Hall Lane and a "rear" three storey eastern elevation (approx. 8.65m in height) onto Pitgaveney Street. The dwelling would be topped with shallow monopitched roof with sedum living roof at lower levels integrated into the design. The rear elevation would have an intersecting design which is stepped into the site. The rear elevation incorporates associated outdoor space for each of the three levels which includes "lower ground floor" patios and elevated balcony and terraced areas at "ground floor" and "first floor" levels enclosed by glazed panels. A high level of contemporary feature glazing is deployed throughout the design. The proposed material finishes include standing seam grey zinc roof and a sedum living roof at lower levels and a combination of smooth off white render and cedar cladding for the walls.

The proposed dwelling would make use of the existing public mains foul drainage connection and rainwater harvesting would be used to manage surface water drainage and to provide grey water for garden and toilet flushing etc. The existing site access onto Town Hall Lane would be used/upgraded as part of the proposal and onsite parking would be enclosed by a flat roofed 3 car Carport.

Site Characteristics

The site has a prominent, elevated and sloping cliff top location. The site is adjacent to, and, elevated above busy commercial streets within the town. The existing neighbouring residential property to the south occupies a similar position and was fairly recently redeveloped under application 15/02071/APP for the demolition of a traditional dwelling and erection of a new dwelling. The neighbouring residential properties to the north sit below the site. The Town Hall is located to the west of the site. The public War Memorial which is set against the rocky base of the cliff is located adjacent to, and, below the east of the site.

Given the site's elevated prominent location, there are multiple public vantage points onto the site including many longer range views to the site; notable views to the site include the public open space associated with the "Old Station Park and Promenade" which is located to the east of the site, the harbour to the north east of the site and the East Beach to the south east of the site.

The built form at this locality is somewhat mixed and reflects the range of uses present. However, the clear presence of traditional buildings is readily apparent and the strong presence of natural slate roofs is a notable feature of the established character; it is noteworthy that the more modern buildings at this location have slate roofs which help to integrate them as part of the established character and this includes the existing dwelling which has a low key impact on its site and surrounds.

The site is located in the Burghead to Lossiemouth Coast Special Landscape Area as designated by the MLDP 2020.

Policy Assessment

Siting, Design and impact of the development on the surrounding area

Policy DP1(i) requires development to be of a scale, density and character which is appropriate to the surrounding area, contributing to the sense of place of the locality. Policy DP1(i) also advises that development must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.

Policy EP3 (i) b) requires development in urban areas to reflect the traditional settlement character in terms of siting and design and conform with Policy DP1 (and all other relevant policy requirements).

Whilst there are there are no policies within the MLDP 2020 which prevent the redevelopment of existing dwelling sites, all proposals must be a of a design and character which is appropriate to the site and its surrounds.

In this case, the large split level contemporary design proposed on this elevated prominent cliff top location would have an excessive over dominant impact on the site and its surrounds. The overall design, form, appearance and finish of the dwelling which includes features such as the large monopitched roof, extensive use of contemporary glazing and large balcony/terraced areas would be at odds with the more traditional character and appearance of the locality resulting in a design which is out of character and incongruous to the site and its surrounds. The incongruous impact of the large contemporary design proposed would be particularly acute at this location given the elevation and prominence of the site which has multiple long range public views to the site meaning that the resultant change in character as a result of the development would be significant and readily apparent in the wider context. With this in mind the proposed large contemporary design on this elevated and prominent site would be at odds and incongruous to the overall character and appearance of the site and surrounds and would have a significant impact on the existing established character of the locality. The proposal is therefore fails to reflect the traditional settlement character as required by Policy EP3 (i) b) and DP1 (i).

Amenity Considerations (DP1 (i) part (e))

The design moves the footprint of the dwelling closer to the existing houses to the north therefore taking account of the extensive glazing and large outdoor terrace/balcony areas the design is also considered to result in unacceptable overlooking and privacy impacts for these existing neighbouring residential properties to the north of the site. The proposal therefore also fails to comply with the amenity considerations set out in policy DP1 (i) part (e).

Water and Drainage (DP1 (iii), EP12 and EP13)

As detailed in the submitted drainage assessment, the proposed dwelling would make use of the existing public mains foul drainage connection and rainwater harvesting would be used to manage surface water drainage and to provide grey water for garden and toilet flushing etc. Scottish Water and Moray Flood Risk Management have raised no objection to the arrangement but Moray Flood Risk Management would seek a condition/informative to ensure that Scottish Water can accept surface water overflow into their system.

However, this matter is separate from and does not override the policy objection to the proposal based on its inappropriate design.

Access and Parking (DP1 (iii))

Subject to conditions and informatives to upgrade the existing access and ensure acceptable on-site parking and turning, Transportation has raised no objection to the proposal as the development is considered a like for like replacement under transportation requirements.

However, this matter is separate from and does not override the policy objection to the proposal based on its inappropriate design.

Developer Obligations and Affordable Housing (PP3 and DP2)

The assessment undertaken by Developer Obligations has identified that no Developer Obligation or Affordable Housing contribution is required for the proposal as the development is for a replacement dwelling. The proposal would therefore be acceptable under Policy PP3 and DP2. However, this matter is separate from and does not override the policy objection to the proposal based on its inappropriate design.

Conclusion and Recommendation

The large, split level contemporary design proposed on this elevated prominent cliff top location would have an excessive over dominant impact on the site and its surrounds. The design proposed would be incongruous in this elevated prominent location and would have a significant impact on the existing established character. The design proposed would also result in unacceptable amenity impacts for the existing neighbouring residential properties to the north of the site. The proposal is therefore refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
19/01505/APP	Alter and extend dwellinghouse at 3 Town Hall Lane Lossiemouth Moray IV31 6DF		
	Decision	Permitted	Date Of Decision

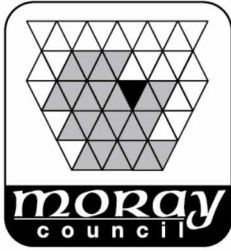
ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	Departure from development plan	30/09/21
PINS	Departure from development plan	30/09/21

DEVELOPER CONTRIBUTIONS (PGU)	
Status	NONE SOUGHT

DOCUMENTS, ASSESSMENTS etc. * * Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc		
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Site Investigation and Drainage Assessment	
Main Issues:	Details onsite drainage. Foul drainage will make use of the existing connection to the public drainage network and the installation of Rainwater Harvesting for Surface Water.	
Document Name:	Design Statement	
Main Issues:	Sets out comments in support of the application with comments centred on siting and design aspects seeking to demonstrate how the design is appropriate to the site and its surrounds. The agent's interpretation of how the proposal complies with local planning policy is also provided.	

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

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



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

REFUSAL OF PLANNING PERMISSION

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

TO

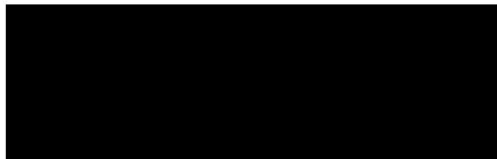


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Demolish existing house and erect new dwellinghouse at 3 Town Hall Lane
Lossiemouth Moray IV31 6DF**

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

Date of Notice: **4 March 2022**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

The proposal is contrary to the provisions of the Moray Local Development Plan 2020 because:

- a) The large split level contemporary design proposed on this elevated prominent cliff top location would have an excessive over dominant impact on the site and its surrounds. The overall design, form, appearance and finish of the dwelling would be at odds with the more traditional existing established character at this locality resulting in a design which is out of character and incongruous to the site and its surrounds. The proposal is therefore fails to reflect the traditional settlement character as required by Policy EP3 (i) b) and DP1 (i).
- b) The design moves the footprint of the dwelling closer to the existing houses to the north therefore taking account of the extensive glazing and large outdoor terrace/balcony areas the design is also considered to result in unacceptable overlooking and privacy impacts for these existing neighbouring residential properties to the north of the site. The proposal therefore also fails to comply with the amenity considerations set out in policy DP1 (i) part (e).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
210046.STENNET.05PP	B	First floor plan
210046.STENNET.04PP	B	Elevations and ground floor plan
210046.STENNET.03PP	B	Lower ground floor plan
210046.STENNET.06PP		Carport details and vehicle turning circles

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.

