



Head of Economic Growth and Development
Economy, Environment and Finance
Moray Council
Council Office
High Street
Elgin
Moray
IV30 1BX

Dear Sir or Madam

I am writing to formally appeal the decision to refuse my planning application for the property located at The Old Stable Inn, Findhorn Road, Kinloss, IV36 3TS.

One of the primary reasons cited for the refusal was that the property is located in an area identified by the Scottish Environmental Protection Agency (SEPA) as a potential future flood risk area. Upon reviewing the relevant flood risk map, it is unclear whether the property falls wholly within the future flood risk area. If it does, it is only marginally so. The property, built in 1876, has withstood the test of time for nearly 150 years without any recorded incidence of flooding. This historical evidence strongly suggests that the property is resilient against flood risks.

According to SEPA's Technical Flood Risk Guidance, the complexity of the Flood Risk Assessment (FRA) should reflect the nature of the flooding problems, the mechanisms of flooding, and the characteristics of the site. I believe that the decision did not adequately consider these factors.

The flood risk is based on projections up to 2080. While it is important to consider future risks, it is also crucial to balance them with current realities and historical data. The 0.5% chance of flood by 2080 might be too small to warrant a refusal.

I am willing to take additional measures to further mitigate the potential flood risk, such as improving drainage systems, raising the level of the property, or using flood-resistant materials.

The decision also states that the proposed development has no safe access and egress from the development in a flood event due to the Findhorn road used to access the site also being at flood risk. This road is the only road that connects the villages of Kinloss and Findhorn. Therefore, under this analysis, no development could take place in the entire village of Findhorn due to the potential flood risk. This would have significant implications for the growth and development of the village.

One of the other reasons cited for the refusal was that the development represents a change of use from a lounge bar to holiday accommodation where people are sleeping overnight is an increase in land use vulnerability as there is an increase to people from coastal flood risk. I would like to argue that this reasoning is flawed. The change of use from a lounge bar to holiday accommodation could actually decrease the overall land use vulnerability. A lounge bar, by its nature, would generally accommodate more people than three holiday apartments. Therefore, the number of people potentially at risk in a flood event could actually decrease.

Furthermore, the overall footprint of the building will remain the same, and the development area is not increasing. This means that the physical vulnerability of the land to flooding remains unchanged. The change of use to holiday accommodation could allow for the implementation of specific adaptation measures to reduce flood risk. For example, the design of the holiday apartments could incorporate flood resilience measures such as raised electrical sockets, waterproof doors and windows, and flood barriers.

The change of use to holiday accommodation could bring significant economic benefits to the area, attracting tourists and boosting local businesses. These benefits should be considered.

I would appreciate if my above points could be considered and addressed during the appeals process.

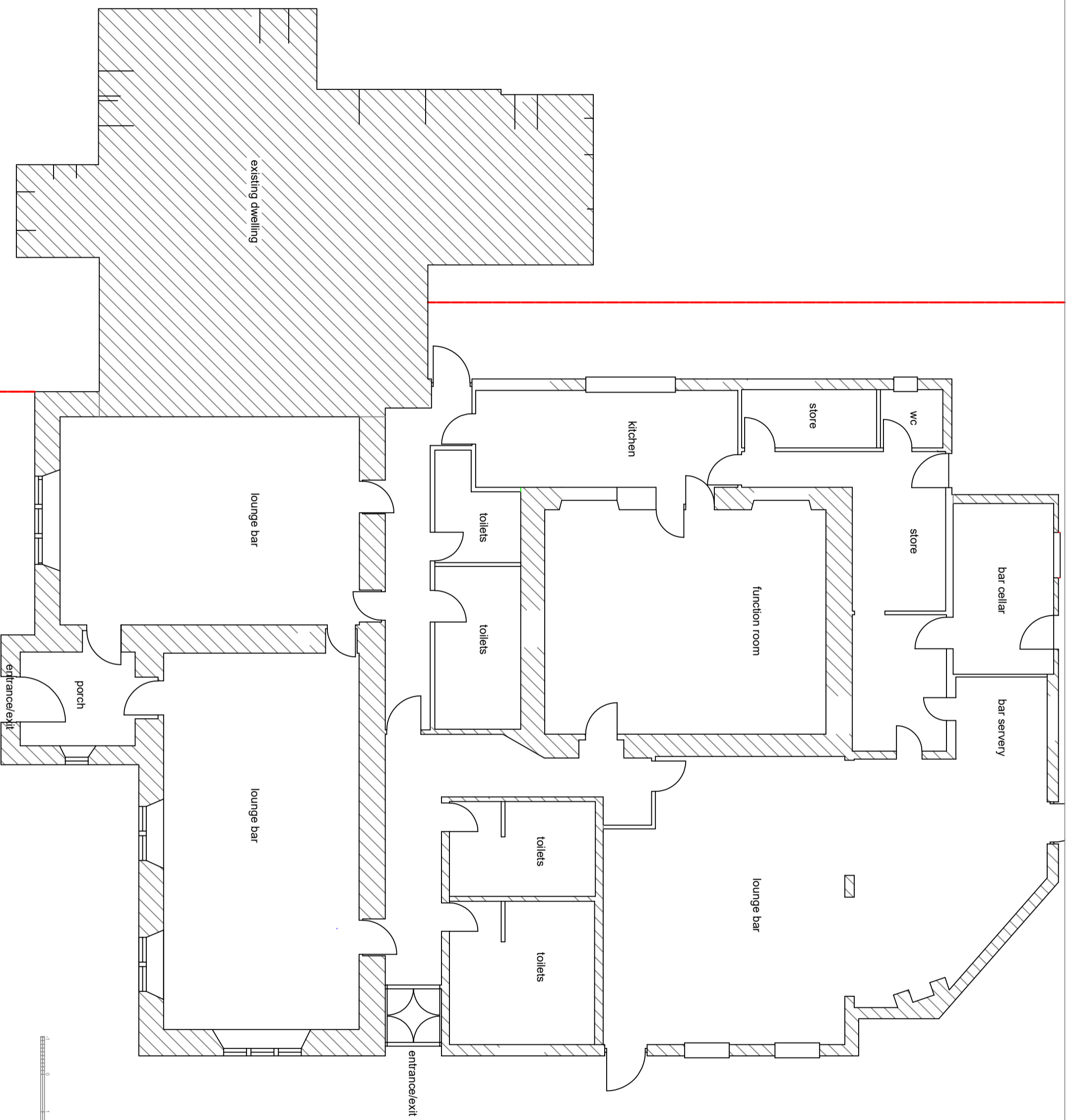
Yours faithfully

Duncan Brown

Find address or place



0 0.15 0.3km



Planning Reference
 Building & Construction
 Planning & Construction

VIA MacDonald Building Design Ltd MCD/AT
 Building Design
 14/5 TND
 07 8897 7200 (09:00)
 www.via.ie
 14/5 TND
 07 8897 7200 (09:00)
 www.via.ie



Mr & Mrs Brown

Conversion of building at
 Seaview Caravan Park,
 Kinloss

Sketch plan
 as existing

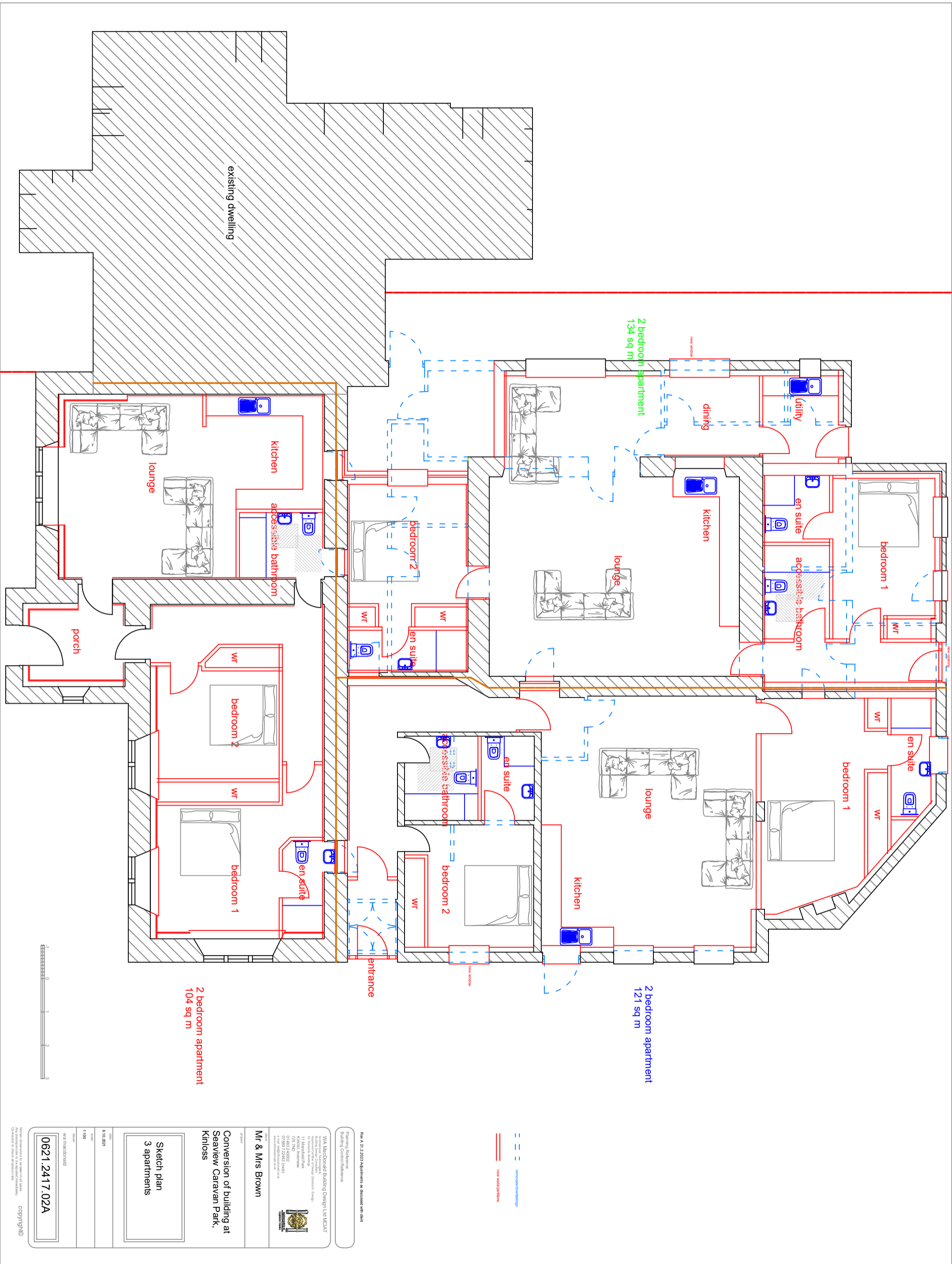
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 6.10.2021

SCALE
 1:500

DRAWN
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0621.2417.01

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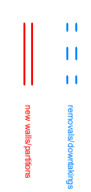


2 bedroom apartment
134 sq m

2 bedroom apartment
121 sq m

2 bedroom apartment
104 sq m

existing dwelling



Rev A 21 2023 Apartments as shown with client
 Planning Ref: 2023/0000
 Building Ref: 2023/0000
 Building Ref: 2023/0000

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 IV5 7ND
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Mr & Mrs Brown

Conversion of building at
 Seaview Caravan Park,
 Kinloss

Sketch plan
 3 apartments

date: 6.10.2021
 scale: 1:100
 drawn: via macdonald

0621 2417 02A

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