



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 100631655-001

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)

Convert The Old Stable Bar to 3 residential apartments.

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:	WA MacDonald Building Design Limite		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	William	Building Name:	<input type="text"/>
Last Name: *	MacDonald	Building Number:	11
Telephone Number: *	07889722463	Address 1 (Street): *	11 Mansefield Park
Extension Number:	<input type="text"/>	Address 2:	Kirkhill
Mobile Number:	<input type="text"/>	Town/City: *	Inverness
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	IV5 7ND
Email Address: *	Bill@billmacdonald.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:	<input type="text"/>	Building Name:	Seaview Caravan Park
First Name: *	Duncan	Building Number:	<input type="text"/>
Last Name: *	Brown	Address 1 (Street): *	Kinloss
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Forres
Extension Number:	<input type="text"/>	Country: *	UK
Mobile Number:	<input type="text"/>	Postcode: *	IV36 3TF
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Moray Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

The Old Stable Bar, Seaview Caravan Park, Kinloss IV36 3TF

Northing

862267

Easting

305999

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

1360.00

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)

The Stable Bar - public bar, kitchen and toilets

## 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? \*    ≤ Yes **T** No

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)

Enclosure for waste and recycling bins - 6 number.

## 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? \*

3

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: William MacDonald

On behalf of: Mr Duncan Brown

Date: 09/06/2023

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"/> ≤ | 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)

## 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 William MacDonald

Declaration Date: 09/06/2023

## Payment Details

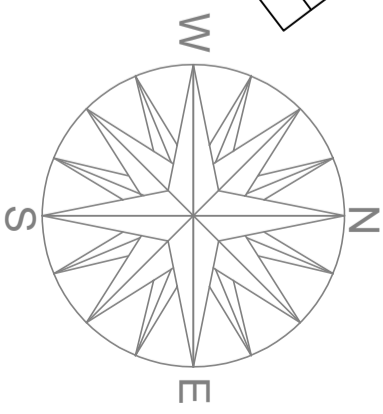
Online payment: 856200

Payment date: 09/06/2023 12:48:45

Created: 09/06/2023 12:48







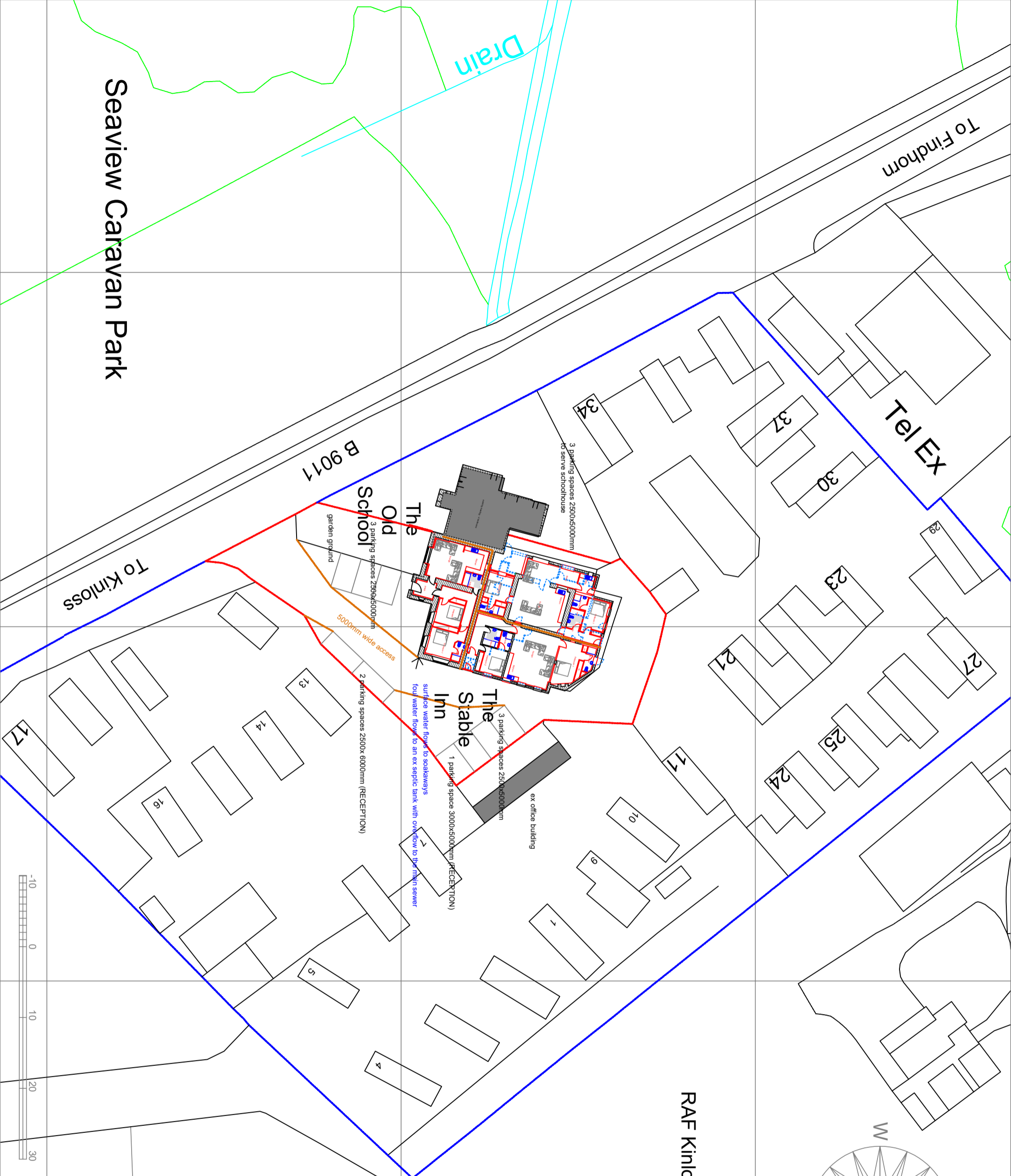
RAF Kinloss

To Findhorn

Tel Ex

To Kinloss

Seaview Caravan Park



Rev'd B. 2017, 2020 Parking spaces  
Rev'd A. 8.5.2023 Drainage notes added

Planning Reference:  
Planning 19/0148/01

VIA MacDonald Building Design Ltd MCR/AT  
Planning, Design, Construction  
107 Colinton Road  
Kirkcaldy, Fife KY11 1YU  
14/5 TND 15022  
07889725005 (FMS)  
www.viamacdonald.co.uk

Client:  
**Mr & Mrs Brown**

Project:  
**Conversion of building at  
Seaview Caravan Park,  
Kinloss, Moray IV36 3TF**

Scale:  
1:500

Date:  
23.2.2023

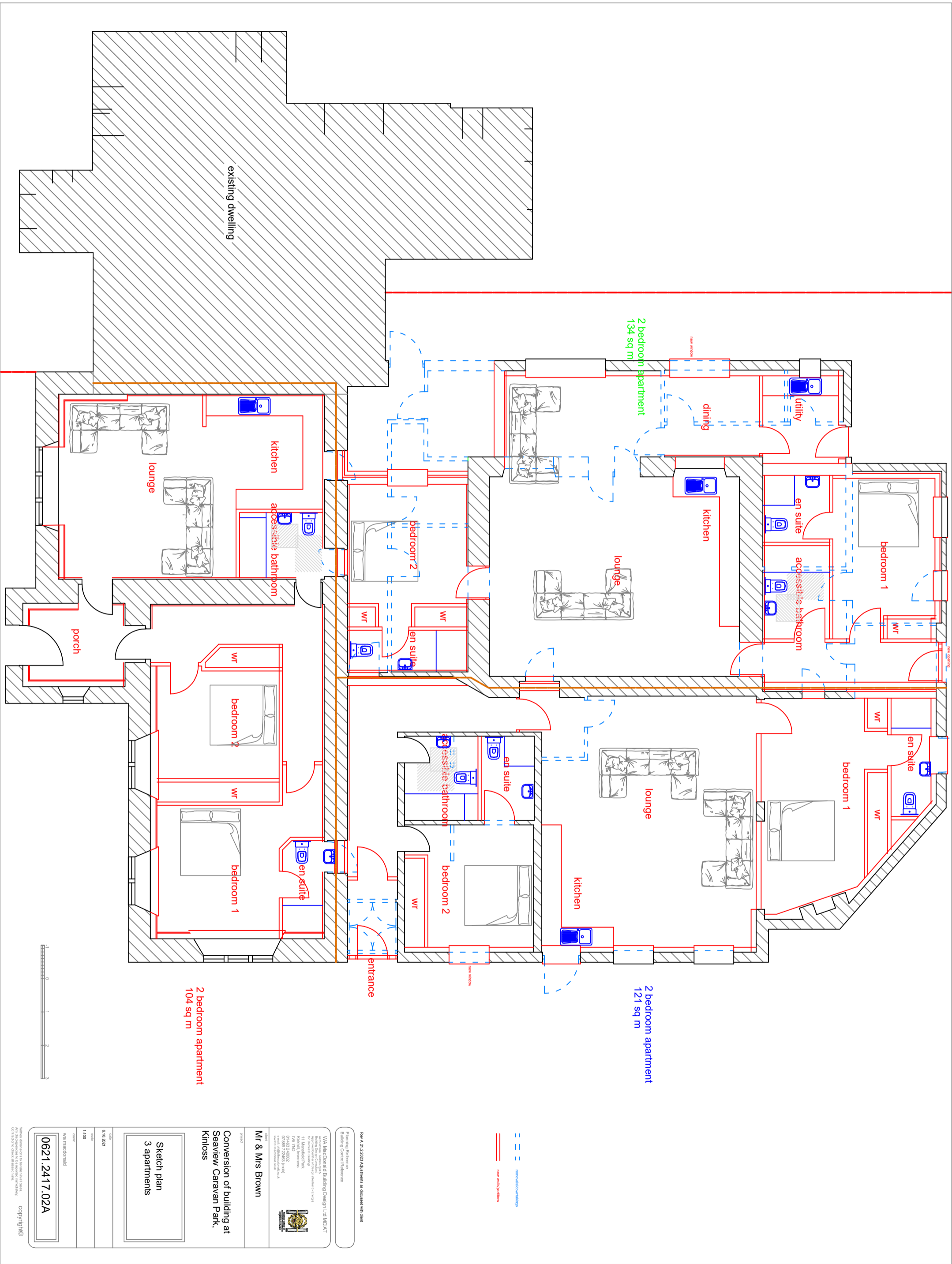
Site plan

0621 2417 05B

0621 2417 05B

copyright©





2 bedroom apartment  
134 sq m

2 bedroom apartment  
121 sq m

2 bedroom apartment  
104 sq m

existing dwelling



- removable door/dropings
- new walls/partitions

Rev A 21 2023 Apartments as shown with client

Planning Ref: 2023/00000  
Building Ref: 2023/00000

**VIA MacDonnell Building Design Ltd MCDAI\***  
 Building Designers  
 100, Seaview Caravan Park, Kinloss, West Lothian  
 EH26 9JG  
 Tel: 01889 720405 (09:00-17:00)  
 Email: info@viabuildingdesign.co.uk

**Mr & Mrs Brown**

**Conversion of building at Seaview Caravan Park, Kinloss**

**Sketch plan  
3 apartments**

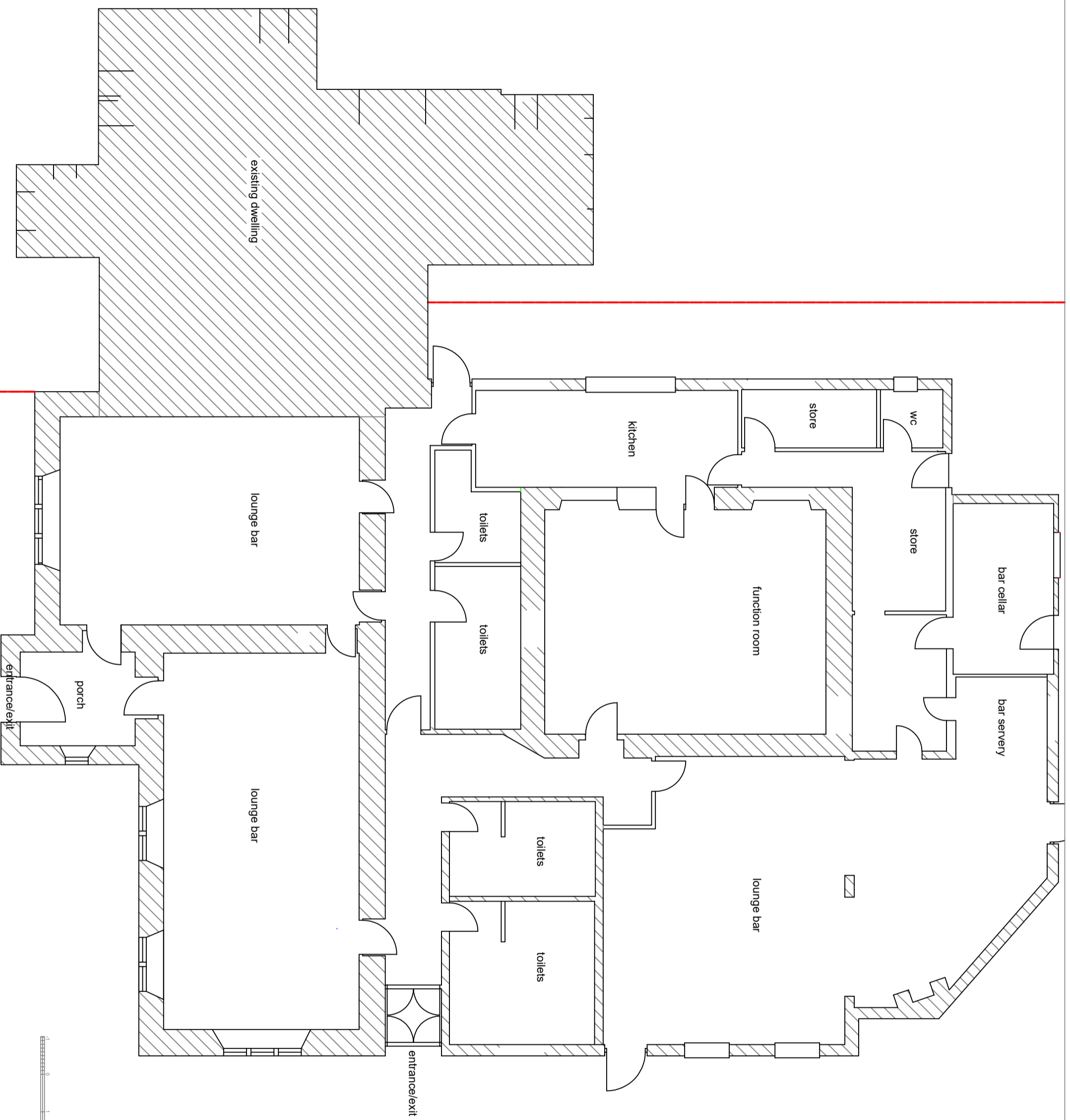
DATE: 6.10.2021  
 SCALE: 1:100  
 DRAWN: via macdonnell  
 CHECKED: via macdonnell  
 0621.2417.02A

\*When completed by the client in all cases. All drawings are to be read in conjunction with the contract documents. Copyright © 2021









Planning Reference  
Planning Permission

VIA MacDonald Building Design Ltd MCRAT  
 Building Design  
 145-147, Seaview, Seaview, Kinross, Angus, Scotland, DD11 1JG  
 Tel: 01843 720403 (01843)  
 Email: info@macdonaldbuildingdesign.co.uk



Mr & Mrs Brown

Conversion of building at  
 Seaview Caravan Park,  
 Kinross

Sketch plan  
 as existing

DATE  
 6.10.2021

SCALE  
 1:100

DRAWN  
 via macdonald

0621.2417.01

When completed to be shown in all cases  
 An arrow points to the corresponding  
 drawing sheet reference

copyright





# **W.A. MacDonald (Building Design) Ltd**

Chartered Architectural Technologist & Building Design Consultant

## **DESIGN STATEMENT (SUPPLEMENT) 23/00976/APP**

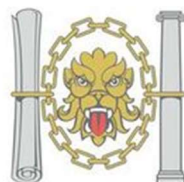
### **CONVERSION OF A BUILDING TO 3 APARTMENTS**

**at**

**SEAVIEW CARAVAN PARK  
KINLOSS, MORAY IV36 3TF**

**For**

**MR & MRS DUNCAN BROWN**



Chartered Institute of  
Architectural Technologists  
Registered Practice

11 Mansefield Park, Kirkhill, Inverness IV5 7ND  
Telephone: 01463 240002 Mobile:07889 722463

e-mail: [bill@billmacdonald.co.uk](mailto:bill@billmacdonald.co.uk)

[www.billmacdonald.co.uk](http://www.billmacdonald.co.uk)

W A MacDonald MCIAT is a trading name of W A MacDonald (Building Design) Ltd  
Registered at Companies House, Edinburgh June 2004 (SC269735)

# W.A. MacDonald (Building Design) Ltd

Chartered Architectural Technologist & Building Design Consultant



## Generally

Originally, this building was the local school and the schoolhouse is adjacent. It has been used for many years as a Lounge Bar associated with the operation of the caravan park. The building is falling into disrepair. We propose to form three apartments each with their own private entrance. Car parking with two spaces for each apartment will be laid out adjacent. The property was built around 1870 with local sandstone and is unlisted.

The original part of the building has a stone clad porch, raised stone bands at corners and around windows. The bulk of the façade has been rendered with a wet dash render. This part of the building is slated with natural slate. Extensions have been formed around the two original parts of the building and these have been roofed with flat roofs. The property has been in the



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# W.A. MacDonald (Building Design) Ltd

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ownership of the Applicants for 18 years. The building until recently was a public house with a commercial kitchen. The pub commenced operation in the 1970's.

## Site

The site is located between Kinloss and Findhorn to the East of the B9011 and to the West of RAF Kinloss.

## Services

The site is fully serviced. Foul water drainage is via a public communal septic tank whose outfall is to the Kinloss public sewer. It is anticipated that there will be less of an impact on the foul system with 3 apartments being formed compared with a Public House, toilets and a commercial kitchen. Minimal adjustments will be made to the sewer to accommodate three apartments. Roof rainwater runs to existing soakpits and no change is proposed. The building has a water supply and electrical connection.

## Proposal

We propose to upgrade the building, including, improving insulation values, repairing existing windows where possible, make good flashings and slating, upgrading electrical service, addition of showers/wc's, improving sound insulation between rooms.

## Parking

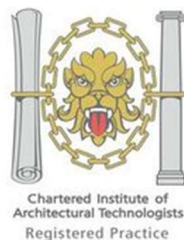
A revised parking proposal is shown on the site plan in light of comments made by The Transport Manager. Six spaces have been allocated to the three new apartments, 3 spaces for reception for the caravan site and a further 3 spaces for the schoolhouse which has 4 bedrooms.

## Flooding

SEPA flood maps have been studied and for River, Coastal and Surface flooding, the noted incidents is no more than 0.5%.

## Tourism Facilities and Accommodation (DP8)

Moray Council state that are here to help local enterprises as they look to operate safely and meet the increasing demand for tourism related experiences. Pre-Covid spend in Moray amounted to around £1.5bn where there are 3200 registered tourism businesses. Tourism jobs in the Highlands and Islands represent 43% of the workforce and this sustains many of our rural,



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regional and island economies and communities. The tourism and hospitality sector has been one of the worst hit industries since the Covid 19 pandemic. Caravans for let already exist on the Applicants site (adjacent). In terms of DP8, this is a low impact proposal as the substantial building already exists

## Conclusion

The building has lain empty for some time and this proposal is reasonable in this situation. It lends itself quite well for residential use without affecting the privacy or amenity of others. It is significant that the Schoolhouse is already occupied and it has a similar floor level to the property under consideration.

The building exists, it is not in use currently and the property adjacent is occupied. It is inconceivable that a substantial property such as this should go through its life with limited use. The Moray Council mandate is to promote Tourism and a project such as this will achieve exactly that.

## Scope of Works

The following is a list of works requiring attention;-

Repair windows where possible and replace if necessary – windows to be as existing style, sliding sash and case with similarly dimensioned timbers.

Re-wire and re-plumb the entire property.

Make good all elements of the structure, including walls, flooring, skirtings, architraves.

Point stonework as necessary.

Make slating and flashing repairs.

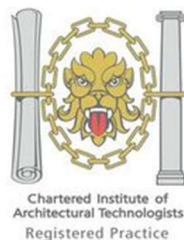
Make good rainwater gutters and downpipes.

Improve insulation values.

## WA MacDonald MCIAT

Architectural Technologist &  
Building Consultant

Wednesday 23<sup>rd</sup> August 2023



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## Consultation Request Notification

<b>Planning Authority Name</b>	Moray Council
<b>Response Date</b>	10th July 2023
<b>Planning Authority Reference</b>	23/00976/APP
<b>Nature of Proposal (Description)</b>	Convert The Old Stable Bar to 3 holiday let apartments at
<b>Site</b>	Seaview Caravan Park Findhorn Road Kinloss Moray
<b>Site Postcode</b>	N/A
<b>Site Gazetteer UPRN</b>	000133052333
<b>Proposal Location Easting</b>	306022
<b>Proposal Location Northing</b>	862267
<b>Area of application site (M<sup>2</sup>)</b>	1360
<b>Additional Comment</b>	
<b>Development Hierarchy Level</b>	LOCAL
<b>Supporting Documentation URL</b>	<a href="https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=RW4M1BBGH1P00">https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=RW4M1BBGH1P00</a>
<b>Previous Application</b>	12/00987/APP 11/00072/APP 10/00594/APP
<b>Date of Consultation</b>	26th June 2023
<b>Is this a re-consultation of an existing application?</b>	No
<b>Applicant Name</b>	Mr Duncan Brown
<b>Applicant Organisation Name</b>	
<b>Applicant Address</b>	Seaview Caravan Park Kinloss Forres UK IV36 3TF
<b>Agent Name</b>	William MacDonald
<b>Agent Organisation Name</b>	
<b>Agent Address</b>	11 Mansefield Park Kirkhill Inverness IV5 7ND
<b>Agent Phone Number</b>	
<b>Agent Email Address</b>	N/A
<b>Case Officer</b>	Emma Mitchell
<b>Case Officer Phone number</b>	01343 563326
<b>Case Officer email address</b>	emma.mitchell@moray.gov.uk

<b>PA Response To</b>	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](http://www.moray.gov.uk/moray_standard/page_121513.html)

For full Data Protection policy, information and rights please see [http://www.moray.gov.uk/moray\\_standard/page\\_119859.html](http://www.moray.gov.uk/moray_standard/page_119859.html)

You can contact our Data Protection Officer at [info@moray.gov.uk](mailto:info@moray.gov.uk) or 01343 562633 for more information.

Please respond using the attached form:-

**MORAY COUNCIL**

**PLANNING CONSULTATION RESPONSE**

**From:** Aberdeenshire Council Archaeology Service

**Planning Application Ref. No: 23/00976/APP**

**Convert The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park Findhorn Road Kinloss Moray for Mr Duncan Brown**

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

- |   | <b>Please</b>                        |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <b>X</b><br><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            | <b>X</b>                             |
| (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](mailto:archaeology@aberdeenshire.gov.uk)  
**Consultee: Archaeology service**

**Date...04/07/2023.....**  
**Phone No .....01467537717**

**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.



# **Consultee Comments for Planning Application 23/00976/APP**

## **Application Summary**

Application Number: 23/00976/APP

Address: Seaview Caravan Park Findhorn Road Kinloss Moray

Proposal: Convert The Old Stable Bar to 3 holiday let apartments at

Case Officer: Emma Mitchell

## **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**

No objections

Adrian Muscutt, CLO



**From:** Shaya Anderson <Shaya.Anderson@moray.gov.uk>

**Sent:** 28 Jun 2023 09:13:58

**To:** DMSMyEmail@moray.gov.uk

**Cc:**

**Subject:** FW: 23/00976/APP Convert The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park, Findhorn Road, Kinloss

**Attachments:**

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**From:** DeveloperObligations <DeveloperObligations@moray.gov.uk>

**Sent:** 27 June 2023 15:57

**To:** Emma Mitchell <Emma.Mitchell@moray.gov.uk>

**Cc:** DC-General Enquiries <development.control@moray.gov.uk>

**Subject:** 23/00976/APP Convert The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park, Findhorn Road, Kinloss

Hi,

Developer obligations are not being sought for the above planning application as given the nature and scale of the proposed development; it will not have a detrimental impact on local infrastructure that requires mitigation through developer obligations.

Thanks

Rebecca

**Rebecca Morrison** | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development

[rebecca.morrison@moray.gov.uk](mailto:rebecca.morrison@moray.gov.uk) | [website](#) | [facebook](#) | [twitter](#) | [instagram](#) | [news](#)

**MORAY**  
council



# **Consultee Comments for Planning Application 23/00976/APP**

## **Application Summary**

Application Number: 23/00976/APP

Address: Seaview Caravan Park Findhorn Road Kinloss Moray

Proposal: Convert The Old Stable Bar to 3 holiday let apartments at

Case Officer: Emma Mitchell

## **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**

No objections

Andy Stewart, PEHO



**MORAY COUNCIL  
PLANNING CONSULTATION RESPONSE**

**From:** The Moray Council, Flood Risk Management  
**Planning Application Ref. No:**  
**23/00976/APP**

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

	<b>Please</b>
	<b>x</b>
(a) I OBJECT to the application for the reason(s) as stated below	<input checked="" 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**

This application is being objected to under NPF4 Policy 10a.and 22a.

10a) Development proposals in developed coastal areas will only be supported where the proposal:

- i. does not result in the need for further coastal protection measures taking into account future sea level change; or increase the risk to people of coastal flooding or coastal erosion, including through the loss of natural coastal defences including dune systems; and
- ii. is anticipated to be supportable in the long-term, taking into account projected climate change.

22a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- iii. redevelopment of an existing building or site for an equal or less vulnerable use
- iv. that the proposal does not create an island of development and that safe access/egress can be achieved.

NPF4 can be found on the Scottish Government website:

<https://www.gov.scot/publications/national-planning-framework-4/>

The redevelopment of this site from a bar to holiday accommodation where people are sleeping overnight is an increase in vulnerability due to the increase difficulty of save evacuation during a flood event. This is furthered by there is no safe access and egress from the development in a flood event due to the road also being at the same flood risk as the development. This would then result in a need for coastal protection measured especially when considering SEPAs future flood maps which take into account climate change.

The SEPA current and future flood maps can be found at: <https://map.sepa.org.uk/floodmaps>

Date: 12/09/2023

Contact: Natalie Dunton

email address: [Natalie.dunton@moray.gov.uk](mailto:Natalie.dunton@moray.gov.uk)

Phone No

**Consultee:** The Moray Council, Flood Risk Management





**Defence  
Infrastructure  
Organisation**

Adam Scott

Ministry of Defence  
Safeguarding Department  
DIO Head Office  
St George's House  
Whittington  
Lichfield  
Staffordshire WS14 9PY

Your reference: 23/00976/APP

Our reference: 10059237

Mobile: 07814885016

E-mail: [adam.scott185@mod.gov.uk](mailto:adam.scott185@mod.gov.uk)



5<sup>th</sup> July 2023

Dear Emma,

**MOD Safeguarding- Kinloss Aerodrome**

**Proposal:** Convert The Old Stable Bar to 3 holiday let apartments

**Location:** Seaview Caravan Park, Findhorn Road, Kinloss, Moray

**Grid Ref's:**

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant is seeking to Convert The Old Stable Bar to 3 holiday let apartments.

The application site occupies the statutory height, technical and birdstrike safeguarding zones surrounding Kinloss Aerodrome and is approx. 1.59km from the centre of the airfield

After review of the documents, I can confirm that the MOD has no safeguarding objections to this proposal.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled Existing and Proposed Elevations, Design Statement and Site location plan dated June 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours Sincerely



Adam Scott

Assistant Safeguarding Manager

DIO Safeguarding

Thursday, 29 June 2023



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](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Seaview Caravan Park Findhorn Road, Kinloss, Moray, IV36 3TX**  
**Planning Ref: 23/00976/APP**  
**Our Ref: DSCAS-0089611-5KF**  
**Proposal: Convert The Old Stable Bar to 3 holiday let apartments**

**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. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

## **Water Capacity Assessment**

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

- ▶ This proposed development will be fed from Glenlatterach Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

## **Waste Water Capacity Assessment**

- ▶ This proposed development will be serviced by Forres Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a

Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

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### **Please Note**

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

### **Asset Impact Assessment**

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

- ▶ 150mm rising main at the boundary of your site.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus

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### **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](mailto:sw@sisplan.co.uk)
    - ▶ [www.sisplan.co.uk](http://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](http://www.scotlandontap.gov.uk)

▶ **Trade Effluent Discharge from Non-Domestic 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](mailto: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 5kg 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](http://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](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Ruth Kerr.**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@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."*





Emma Mitchell  
Planning Department  
Moray Council

Our Ref: 9855  
Your Ref: 23/00976/APP

By email only to: [consultation.planning@moray.gov.uk](mailto:consultation.planning@moray.gov.uk)

SEPA Email Contact:  
[planning.north@sepa.org.uk](mailto:planning.north@sepa.org.uk)

28 July 2023

Dear Emma Mitchell

### **Town and Country Planning (Scotland) Acts**

**23/00976/APP**

**Convert The Old Stable Bar to 3 holiday let apartments at  
Seaview Caravan Park, Findhorn, Kinloss, Moray**

Thank you for your consultation which was received by SEPA on 18 July 2023 in relation to the above application. We understand the reason for consultation is flooding.

#### **Advice for the planning authority**

In line with the advice in the [Transitional Arrangements for National Planning Framework 4 letter](#), issued by the Chief Planner, Fiona Simpson, on 8 February 2023 our position and advice given below is based on NPF4 policy.

We therefore **object in principle** to the application and recommend that planning permission should be refused. This is because the proposed development is expected to put people or property at risk of flooding, which is contrary to the duties set out under the Flood Risk Management (Scotland) Act 2009, and the policy principles of National Planning Framework 4.



**Chairman**  
Bob Downes  
  
**CEO**  
Nicole Paterson

**Angus Smith Building**  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ  
  
Tel: 03000 99 66 99  
[www.sepa.org.uk](http://www.sepa.org.uk)

If the planning authority proposes to grant planning permission contrary to this advice on flood risk, the [Town and Country Planning \(Notification of Applications\) \(Scotland\) Direction 2009](#) provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

## 1. Flood Risk

- 1.1 We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk as a first principle, and this is set out in National Planning Framework 4 (Policy 22).
- 1.2 The application involves a change of use from a bar to holiday letting apartments. In line with SEPA's [Land use vulnerability guidance](#), the current use is considered to be a 'Least Vulnerable Land Use' whereas the proposed use is considered to be a 'Highly Vulnerable Land Use'. As such there would be an increase in land use vulnerability as a result of the development.
- 1.3 The site is fully within an area shown to be at risk of flooding based on the SEPA Future Flood Maps. This indicates that there is a risk of flooding from the sea. You can view the SEPA Flood Maps and find out more about them at [Flood Maps | SEPA - Flood Maps | SEPA](#).
- 1.4 The approximate coastal flood level for the area is 4.1mAOD including an allowance for climate change. The flood level is derived from the 200 year still water level based on the Coastal Flood Boundary Method which does not account for the effects of wave action, funnelling or local bathymetry. The applied recommended sea level rise for the area by 2100 is based on the latest UK climate change predictions published in 2018 as outlined in SEPA's guidance. We therefore require that all development on the site is limited to land which is higher than 4.1mAOD. In addition to this, a separate minimum freeboard allowance of 0.6m to account for uncertainties and the effects of wave action is required for finished floor levels.

1.5 OS maps show spot elevations on the road adjacent to the site of 3.2mAOD and the land is relatively flat in this area. The information we hold therefore indicates that the site could be inundated by the sea to a depth of almost 1m when taking account of the impacts of future climate change on sea level rise. This would be considered a significant risk to people and property. The access road would also be inundated meaning evacuation may be restricted, or not possible. We believe the provision of detailed topographic information would only serve to confirm that the building is located on land below 4.1mAOD and therefore at risk of flooding and unsuitable for the proposed increase in vulnerability to holiday accommodation.

## **2. Other planning matters**

2.1 For all other planning matters, please see our [trriage framework and standing advice](#) which are available on our website: [www.sepa.org.uk/environment/land/planning/](http://www.sepa.org.uk/environment/land/planning/).

## **Advice for the applicant**

## **3. Regulatory advice**

3.1 Details of regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the [regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at: [gs@sepa.org.uk](mailto:gs@sepa.org.uk)

If you have queries relating to this letter, please contact us at the email above including our reference number in the email subject.

Yours sincerely

Nicki Dunn  
Senior Planning Officer  
Planning Service

Ecopy to: [emma.mitchell@moray.gov.uk](mailto:emma.mitchell@moray.gov.uk)

Disclaimer: This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages - www.sepa.org.uk/environment/land/planning/](http://www.sepa.org.uk/environment/land/planning/).

## Consultation Request Notification

<b>Planning Authority Name</b>	Moray Council
<b>Response Date</b>	10th July 2023
<b>Planning Authority Reference</b>	23/00976/APP
<b>Nature of Proposal (Description)</b>	Convert The Old Stable Bar to 3 holiday let apartments at
<b>Site</b>	Seaview Caravan Park Findhorn Road Kinloss Moray
<b>Site Postcode</b>	N/A
<b>Site Gazetteer UPRN</b>	000133052333
<b>Proposal Location Easting</b>	306022
<b>Proposal Location Northing</b>	862267
<b>Area of application site (M<sup>2</sup>)</b>	1360
<b>Additional Comment</b>	
<b>Development Hierarchy Level</b>	LOCAL
<b>Supporting Documentation URL</b>	<a href="https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=RW4M1BBGH1P00">https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=RW4M1BBGH1P00</a>
<b>Previous Application</b>	12/00987/APP 11/00072/APP 10/00594/APP
<b>Date of Consultation</b>	26th June 2023
<b>Is this a re-consultation of an existing application?</b>	No
<b>Applicant Name</b>	Mr Duncan Brown
<b>Applicant Organisation Name</b>	
<b>Applicant Address</b>	Seaview Caravan Park Kinloss Forres UK IV36 3TF
<b>Agent Name</b>	William MacDonald
<b>Agent Organisation Name</b>	
<b>Agent Address</b>	11 Mansefield Park Kirkhill Inverness IV5 7ND
<b>Agent Phone Number</b>	
<b>Agent Email Address</b>	N/A
<b>Case Officer</b>	Emma Mitchell
<b>Case Officer Phone number</b>	01343 563326
<b>Case Officer email address</b>	emma.mitchell@moray.gov.uk

<b>PA Response To</b>	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](http://www.moray.gov.uk/moray_standard/page_121513.html)

For full Data Protection policy, information and rights please see [http://www.moray.gov.uk/moray\\_standard/page\\_119859.html](http://www.moray.gov.uk/moray_standard/page_119859.html)

You can contact our Data Protection Officer at [info@moray.gov.uk](mailto:info@moray.gov.uk) or 01343 562633 for more information.

Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No: 23/00976/APP**

**Convert The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park Findhorn Road Kinloss Moray for Mr Duncan Brown**

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

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

*This proposal is to convert a former bar to 3 holiday let apartments within an existing caravan park, including the re-configuration of existing parking arrangements. No alterations are proposed to the existing access or boundary features. The following conditions would apply:*

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

1. Parking shall be the following:

- 3 car parking spaces retained for the old schoolhouse
- 2 car parking spaces for each new apartment
- 3 car parking spaces retained for the existing site reception

The parking spaces shall be demarked on site in accordance with submitted drawing reference "0621.2417.05B" and made available for use prior to the first occupation of the first apartment, and thereafter be retained within the site throughout the lifetime of the development unless otherwise agreed in writing with the Council as Planning Authority.

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

2. A turning area shall be retained within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

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

**Further comment(s) to be passed to applicant**

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

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

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

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

**Date 21 July 2023**

<b>Return response to</b>	<b><a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a></b>
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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.



## **REPORT OF HANDLING**

<b>Ref No:</b>	23/00976/APP	<b>Officer:</b>	Emma Mitchell
<b>Proposal Description/ Address</b>	Convert The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park Findhorn Road Kinloss Moray		
<b>Date:</b>	18.09.2023	<b>Typist Initials:</b>	LMC

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

<b>CONSULTATIONS</b>		
<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
MOD Safeguarding - Statutory	05/07/23	No objection
Moray Flood Risk Management	12/09/23	Object under policy 10 (a) and 22 (a) of NPF4
Planning And Development Obligations	27/06/23	None sought
Environmental Health Manager	28/06/23	No objection
Contaminated Land	27/06/23	No objection
Transportation Manager	21/07/23	No objection subject to conditions and informatives
Scottish Water	29/06/23	No objection
Aberdeenshire Council Archaeology Service	04/07/23	No objection
Scottish Environment Protection Agency	22/08/23	Object under policy 22 (a) of NPF4

<b>DEVELOPMENT PLAN POLICY</b>		
<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
<b>National Planning Framework (NPF)</b>		
NPF1 - Tackling the Climate	Y	
NPF2 - Climate mitigation and adaptation	Y	
NPF3 - Biodiversity	N	
NPF9 - Brownfield, vacant, derelict land	N	
NPF10 - Coastal development	Y	
NPF12 - Zero waste	N	

NPF13 - Sustainable transport	N	
NPF14 - Design, quality and place	N	
NPF16 - Quality homes	N	
NPF22 - Flood risk	Y	
NPF23 - Health and safety	N	
NPF29 - Rural development	N	
NPF30 - Tourism	N	
<b>Moray Local Development Plan 2020 (MLDP)</b>		
PP3 Infrastructure and Services	N	
PP1 Placemaking	N	
DP1 Development Principles	Y	
DP8 Tourism Facilities and Accommodation	N	
EP12 Management and Enhancement Water	Y	
EP13 Foul Drainage	N	
EP14 Pollution Contamination Hazards	N	

## REPRESENTATIONS

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

## OBSERVATIONS – ASSESSMENT OF PROPOSAL

### Proposal

- Planning permission is sought for the conversion of The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park, Findhorn Road Kinloss.
- Each apartment has its own external entrance, two bedrooms (both en-suite), a bathroom, a kitchen and living area. The apartments range in size from 104 sqm to 134 sqm.
- Minimal external changes are proposed, these include the restoration and possible replacement (if necessary) of some windows, pointing stonework where required and making good rainwater gutters and downpipes.
- 7 car parking spaces are to be provided for the development.
- Existing drainage arrangements are proposed to be utilised.

### Site Characteristics

- Seaview Caravan Park is located between Findhorn and Kinloss. It is located immediately off the B9011 Forres to Kinloss Road on the east side. The park covers an area of 1360 sqm.

- A dwelling is attached to the north side of The Old Stable Bar, it was formerly The Old Schoolhouse.
- 38 Static Caravans are currently located on the Park.
- The Old Stable Bar was built around 1870 and its most recent use was a Lounge Bar (it is unknown when the use ceased) associated with the operation of the Caravan Park. The building was previously a school. It is not listed.
- The original part of the Old Stable Bar is made with local sandstone and has a stone clad porch, most of the roof is natural slate. Flat roof extensions have been formed around the original two parts of the building to the rear.

### **Policy**

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan, namely the adopted National Planning Framework 4 (NPF) and adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main issues are considered below:-

### **Flooding (NPF 10 & 22 / MLDP DP1 & EP12)**

These policies seek together to ensure development would not be at significant risk of flooding from any source or would materially increase the possibility of flooding elsewhere. For development at or near coastal locations, this includes consideration of future flooding that may be caused by sea level rise and/or coastal change eroding existing natural defences in the medium and long term. Policy 10 (part a) states that development proposals in developed coastal areas will only be supported where the proposal does not result in the need for further coastal protection measures taking into account future sea level change; or increase the risk to people of coastal flooding or coastal erosion, including through the loss of natural coastal defences including dune system and is anticipated to be supportable in the long-term, taking into account projected climate change. Policy 22's intention is to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Policy 22 also states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for essential infrastructure where the location is required for operational reasons, water compatible use, redevelopment of an existing building or site for an equal or less vulnerable use or redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice.

The site is fully within an area shown to be at risk of flooding from the sea based on the SEPA Future Flood Maps.

The application involves a change of use from a bar to holiday letting apartments. In line with SEPA's Land use vulnerability guidance, the current use is considered to be a 'Least Vulnerable Land Use' where as the proposed use is considered to be a 'Highly Vulnerable Land Use'. As such there would be an increase in land use vulnerability as a result of the development. This is contrary to policy 22 as it only allows the re-development of an existing building or site for an equal or less vulnerable use. The proposal results in an increase of risk to people through coastal flooding which is unacceptable under policy 10.

The approximate coastal flood level for the area is 4.1mAOD including an allowance for climate change. The flood level is derived from the 200 year still water level based on the Coastal Flood Boundary Method which does not account for the effects of wave action, funnelling or local bathymetry. The applied recommended sea level rise for the area by 2100 is based on the latest UK climate change predictions published in 2018 as outlined in SEPA's guidance. It is therefore required that all development on the site is limited to land which is higher than 4.1mAOD. In addition to this, a separate minimum freeboard allowance of 0.6m to account for uncertainties and the effects of wave action is required for finished floor levels.

OS maps show spot elevations on the road adjacent to the site of 3.2mAOD and the land is relatively flat in this area. The information held therefore indicates that the site could be inundated by the sea to a depth of almost 1m when taking account of the impacts of future climate change on sea level rise. This would be considered a significant risk to people and property. The access road would also be inundated meaning evacuation may be restricted, or not possible. The building is located on land below 4.1mAOD and therefore at risk of flooding and unsuitable for the proposed increase in vulnerability to holiday accommodation.

SEPA and Moray Flood Risk Management were consulted on the proposal and object to it. This is based on the above grounds. The proposal increases the number of people at risk from coastal flooding and there is no safe access and egress from the development in a flood event due to the public road used to access the site also being at risk from flooding therefore it is contrary to policies 10, 22 and EP12.

### **Climate Change (NPF 1 & 2)**

Policy 1's aim is to encourage, promote and facilitate development that addresses the global climate change and nature crisis. Policy 2's intention is to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Given the above the proposal is subsequently contrary to policy 1 on the basis the impact of climate change must be considered for all proposals (noting significant weight must be given to the climate crisis). It is also contrary to NPF Policy 2 because the proposal is not sited and designed to adapt to current and future risks from climate change.

### **Siting and Design (NPF 9 & 14 / MLDP PP1 & DP1)**

Policy 9 Brownfield, vacant and derelict land and empty buildings does encourage the use of existing buildings. Policy 14 Design, quality and Place is intended to encourage, promote and facilitate well designed development and requires development proposals to be designed to improve the quality of an area. In addition to this states development proposals for the reuse of existing buildings for short term holiday letting will not be supported where it will result in an unacceptable impact on local amenity or character of an area. Policies PP1 and DP1 seek together to ensure that proposals meet siting and design requirements, these include development being of scale, density and character to its surroundings and integrating into the landscape, proposals not adversely impacting on neighbouring properties in terms of privacy daylight or overbearing loss of amenity.

The change of use of the bar to holiday accommodation would be acceptable if the site was not at risk from flooding (see flooding section below). The proposal clearly does make use of a redundant building. Merit is therefore attached under policy 9 to the proposed re-use of a derelict building and brownfield site. The re-use of building would see the existing resources used again. The existing site is a Caravan Park therefore the change of use to holiday accommodation would be in keeping with the rest of the site. There would be no issues in terms of loss amenity.

### **Rural Business Proposal / Tourist Accommodation (NPF 29 & 30 / MLDP DP8)**

Policy 29 seeks to encourage rural economic activity, innovation and diversification whilst ensuring the distinctive character of a rural area. Policy 30 aims to encourage, promote and facilitate sustainable tourism development which benefits local people and requires new tourist facilities to be compatible with the surrounding area in terms of the nature and scale of the activity and impact of increased visitors. In addition to this it states development proposals for the reuse of existing buildings for short term holiday letting will not be supported where it will result in an unacceptable impact on local amenity or character of an area. Policy 30 also states that proposals for tourism related development will take into account accessibility for disabled people. Policy DP8 stipulates that proposals which contribute to Moray's tourism industry will be supported where they comply with relevant policies. A locational need for a specific site must be demonstrated.

A locational justification has been provided with the proposal and demonstrates the need for the site

to be holiday accommodation given the regions successful tourism industry and the existing building lending itself well for residential use.

The change of use does comply with the requirements of policies 29, 30 and DP8, it is compatible with the surrounding area in terms of nature and scale however given it is risk from flooding (see flooding section below) the change of use is overall not acceptable.

### Access and Parking (NPF 13 / MLDP DP1)

Policy 13 Sustainable Transport and DP1 and require that proposals must provide a safe entry and exit from the development and conform with the Council's current policy on Parking Standards.

Transportation were consulted on the proposal and required an updated plan showing parking provision which accommodates both the existing ongoing arrangements and the provision for the 3 holidays lets. This was submitted and reviewed by Transportation who in turn have no objections to the proposal subject to conditions and informatives being attached to the consent if it were to be minded to be approved. The access and parking arrangements as amended therefore comply with policies 13 and DP1.

### Drainage (NPF 22 / MLDP DP1 & EP12)

Policies 22, DP1 and EP12 together to seek to ensure that acceptable water and drainage provision is made, including the use of sustainable urban drainage (SUDS).

Moray Flood Risk Management were consulted on the proposal and have no objections to the drainage arrangements (existing system to be utilised). In terms of drainage the proposal complies with policies 22, DP1 and EP12.

### Recommendation

Refuse on the above grounds.

## OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY			
Reference No.	Description		
12/00987/APP	Apply for 11 month licence for 38 static stances including change of use of 8 touring vans to 8 static vans at Seaview Caravan Park Findhorn Road Kinloss Moray		
	<b>Decision</b>	Permitted	<b>Date Of Decision</b> 02/08/12
11/00072/APP	Change of use from 38 no static vans to 38 no residential vans by upgrading both vans and site to give 12 months continuous use at Sea View Park Findhorn Road Kinloss Forres Moray		
	<b>Decision</b>	Refuse	<b>Date Of Decision</b> 20/07/11
10/00594/APP	Change of use from 17 touring vans to 18 static vans and change of use from static chalet to residential managers house at Seaview Caravan Park Findhorn Road Kinloss Forres Moray		
	<b>Decision</b>	Permitted	<b>Date Of Decision</b> 29/09/10
08/00227/FUL	Apply for additional 12 static caravans and for additional 8 touring caravans also modify site licence from 11-month licence to 12-month licence at Seaview Caravan Park Findhorn Road Kinloss Moray		
	<b>Decision</b>	Permitted	<b>Date Of Decision</b> 17/06/08

92/01214/FUL	TEMPORARY CHANGE OF USE OF 4 STATIC HOLIDAY CARAVANS TO 4 STATIC RESIDENTIAL CARAVANS (FROM 1 NOV 92 TO 1 APR 94) Stable Inn Caravan Park Findhorn Forres Moray IV36 3TX		
	<b>Decision</b>	Permitted	<b>Date Of Decision</b> 21/12/92

<b>ADVERT</b>		
<b>Advert Fee paid?</b>	Yes	
<b>Local Newspaper</b>	<b>Reason for Advert</b>	<b>Date of expiry</b>
Forres Gazette	No Premises	25/07/23
PINS	No Premises	25/07/23

<b>DEVELOPER CONTRIBUTIONS (PGU)</b>	
<b>Status</b>	None sought

<b>DOCUMENTS, ASSESSMENTS etc. *</b> * Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc		
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Design Statement – Conversion of Building to 3 Apartments at Seaview Caravan Park, Kinloss, Moray IV36 3TF	
Main Issues:	Information on the site and proposal.	

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

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



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

**REFUSAL OF PLANNING PERMISSION**

**[Forres]  
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:-

**Convert The Old Stable Bar to 3 holiday let apartments at Seaview Caravan Park Findhorn Road Kinloss Moray**

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

Date of Notice: **20 September 2023**



**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 policies 1, 2, 10 and 22 of the National Planning Framework 4 (NPF) and EP12 of the Moray Local Development Plan 2020 (MLDP) for the following reasons:-

- The proposal is located on a site that is at risk of coastal flooding as identified via the future SEPA flood maps and the redevelopment of this site from a 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 therefore is contrary to NPF policies 10, 22 and MLDP policy EP12.
- The proposed development has no safe access and egress from the development in a flood event due to the public road used to access the site also being at flood risk therefore is it unacceptable under NPF policy 22.
- The proposal does not adapt to the future impacts of climate change (coastal flooding) therefore it is contrary to NPF policies 1 and 2.

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

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

<b>Reference</b>	<b>Version</b>	<b>Title</b>
0621.2417.05	B	Site arrangements
0621.2417.02	A	Proposed floor plan
0621.2417.04	A	Existing and proposed elevations

**NOTICE OF APPEAL**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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

[www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk)



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

