



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 100664541-001

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)

Form new vehicle access to dwelling and sub divide ground for dwelling 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:	Tulloch of Cummingston Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Christopher	Building Name:	Tulloch House
Last Name: *	Bremner	Building Number:	
Telephone Number: *	01343 835600	Address 1 (Street): *	Tulloch House
Extension Number:		Address 2:	Forsyth street
Mobile Number:		Town/City: *	Elgin
Fax Number:		Country: *	United Kingdom
		Postcode: *	IV30 5ST
Email Address: *	christopher@tullochofcummingston.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Stanes
First Name: *	I	Building Number:	
Last Name: *	Noble	Address 1 (Street): *	Cummingston
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Cummingston
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	IV30 5XY
Fax Number:			
Email Address: *	john@tullochofcummingston.co.uk		

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

STANES

Address 2:

CUMMINGSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ELGIN

Post Code:

IV30 5XY

Please identify/describe the location of the site or sites

Northing

869030

Easting

313483

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

421.00

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)

Dwelling with detached double garage

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h2 style="margin: 0;">Assessment of Flood Risk</h2> <p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h2 style="margin: 0;">Trees</h2> <p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2> <p>Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

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: Christopher Bremner

On behalf of: Mrs I Noble

Date: 13/03/2024

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☒ Yes ☐ N/A

Drainage/SUDS layout. *

☒ Yes ☐ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Blair Tulloch

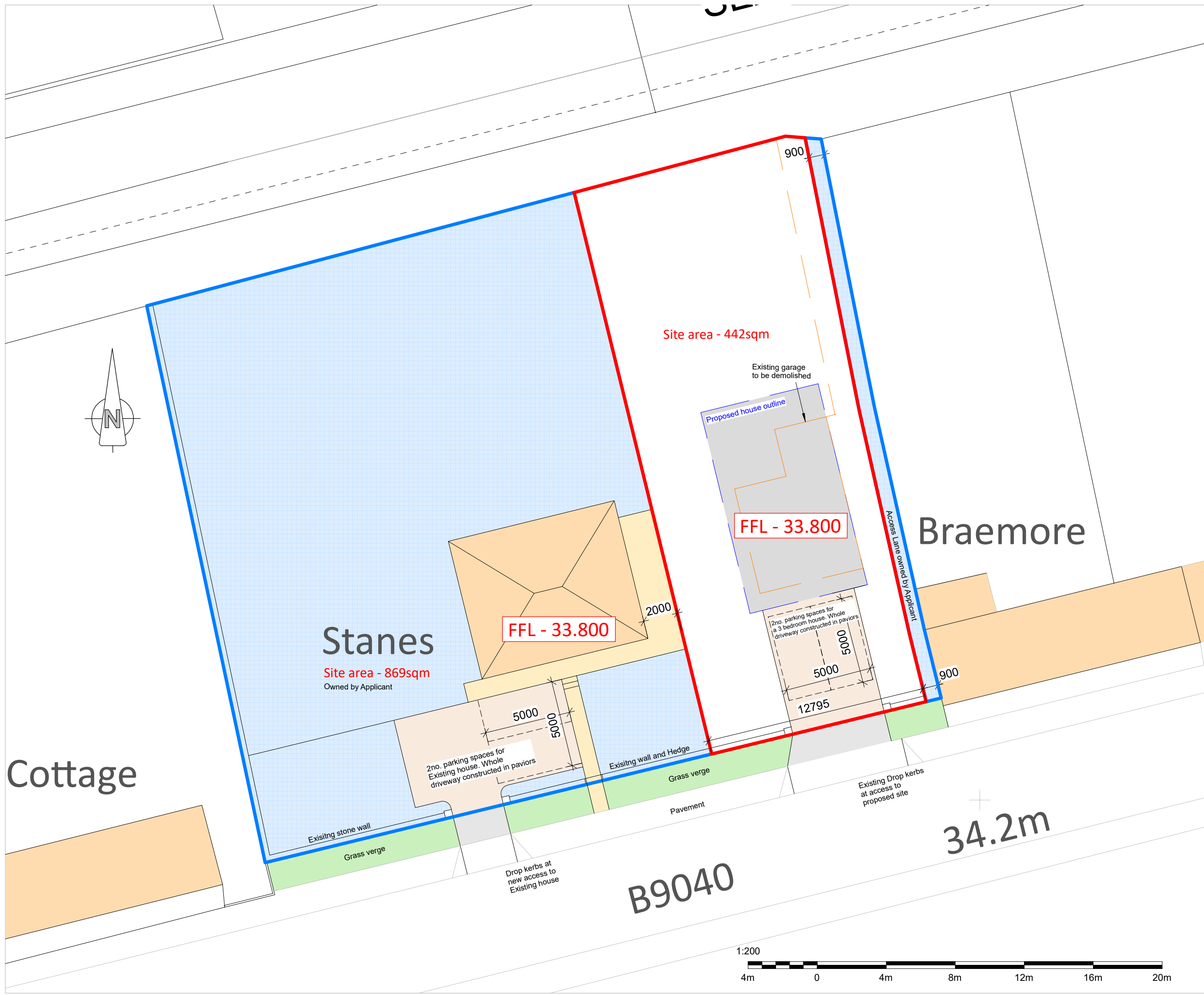
Declaration Date: 13/03/2024

Payment Details

Online payment: 097889

Payment date: 13/03/2024 12:30:36

Created: 13/03/2024 12:30



t - (01343) 835600 f - (01343) 835700
 e - info@tullochofcummingston.co.uk
 web - www.tullochofcummingston.co.uk

PROJECT

**Form plot adjacent to Stanes
Cummingston**

DRAWING DESCRIPTION

Site Plan

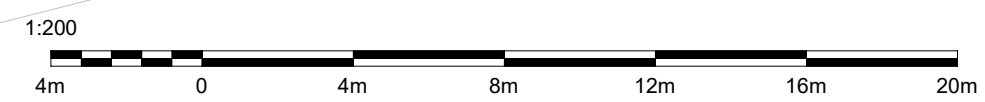
DRAWING no.
Stanes / Site 01

SCALE
1:200 (A3)

DRAWN BY
CB

DATE
MAR 2024

A	Boundary amended	24.05.24
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t - (01343) 835600 f - (01343) 835700
e - info@tullochofcummingston.co.uk
web - www.tullochofcummingston.co.uk

PROJECT

**Form plot adjacent to Stanes
Cummingston**

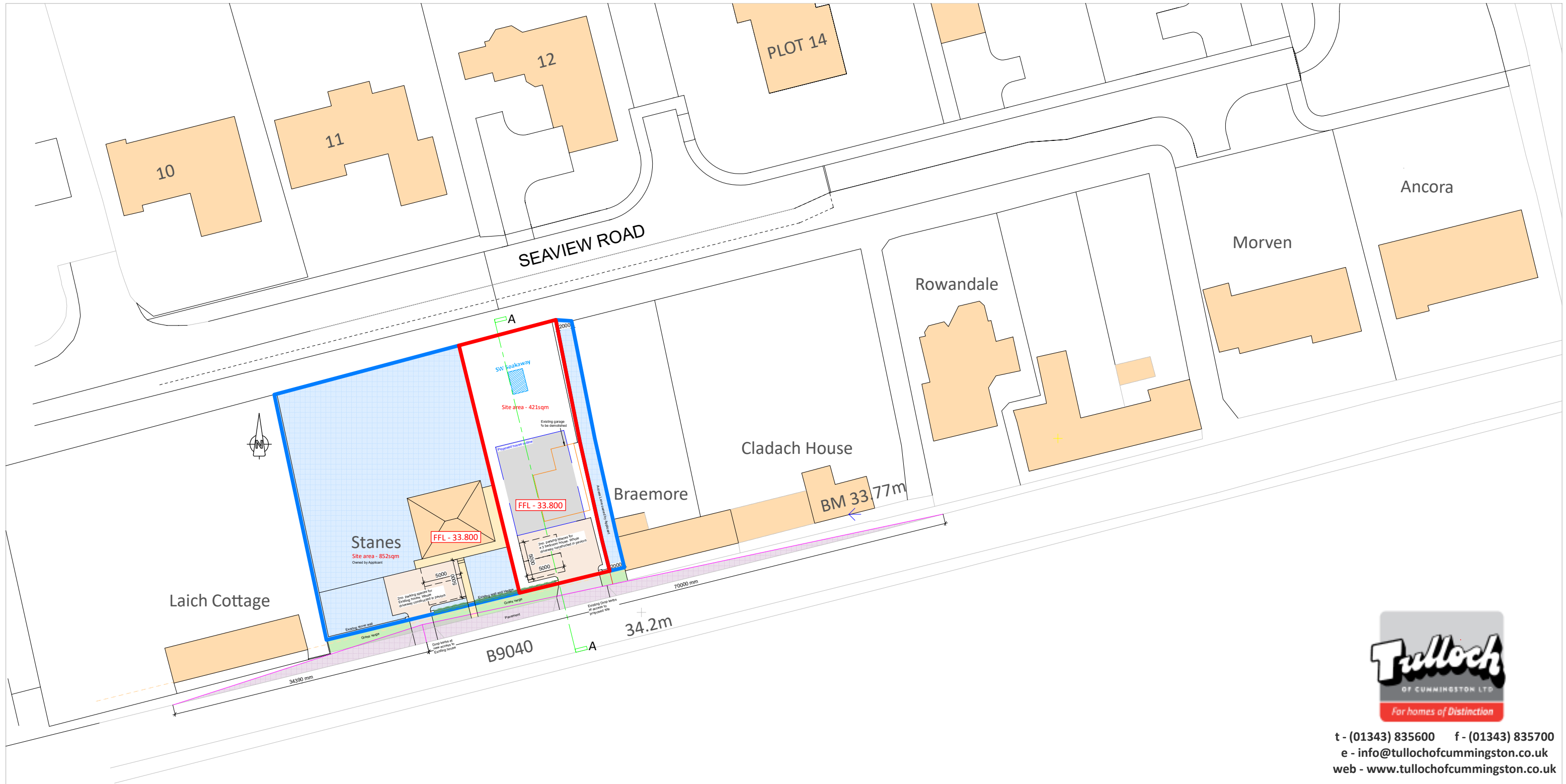
DRAWING DESCRIPTION
Location Plan

DRAWING no.
Stanes / Loc 01

SCALE
1:1250 (A4)

DRAWN BY
CB

DATE
MAR 2024



t - (01343) 835600 f - (01343) 835700
e - info@tullochofcummingston.co.uk
web - www.tullochofcummingston.co.uk

PROJECT

**Form plot adjacent to Stanes
Cummingston**

DRAWING DESCRIPTION

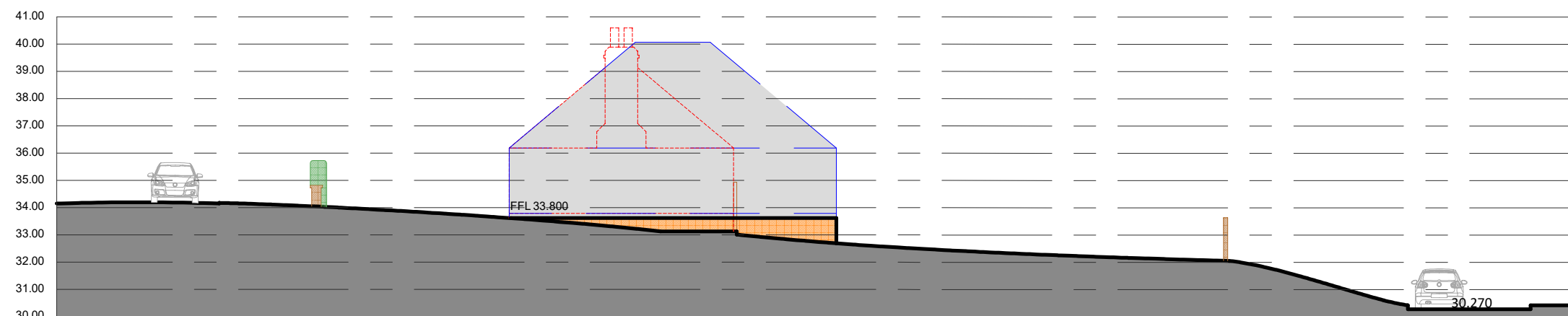
Visibility Plan

DRAWING no.
Stanes / Vis 01

SCALE
1:500 (A1)

DRAWN BY
CB

DATE
MAR 2024



Section A-A

29 April 2024

Project No: 315097

Drainage Assessment:
Proposed Dwelling within land adjacent to Stanes, Main
Street, Cummingston IV30 5XY

Prepared for:
C/O Christopher Bremner
Tulloch of Cummingston
Tulloch House
Forsyth Street
Hopeman
IV30 8ST

Contents Amendment Record

This report has been issued and amended as follows:

Revision	Description	Date	Signed
1.0	First Issue	29 April 2024	G Mackintosh



Mabbett & Associates Ltd, Corporate and Registered Office: 13 Henderson Road, Inverness, UK, IV1 1SN
Registered in Scotland No: SC 163378 info@mabbett.eu www.mabbett.eu

Belfast | Cardiff | Dublin | Dundee | Edinburgh | Glasgow | Inverness | Leicester | Liverpool

Acknowledgement

This report has been prepared for the sole and exclusive use of Tulloch of Cummingston in accordance with the scope of work presented by Mabbett & Associates Ltd (Mabbett) via email dated 28th March 2024. This report is based on information and data collected by Mabbett. Should any of the information be incorrect, incomplete or subject to change, Mabbett may wish to revise the report accordingly.

This report has been prepared by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



Gary Mackintosh, BSc
Principal Engineer

This report has been reviewed and approved by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



David Clark, BSc (Hons)
Project Manager and Environmental Consultant

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Section 1.0 Introduction

Mabbett & Associates Ltd (Mabbett) was commissioned by Tulloch of Cummingston to undertake an assessment of the surface water treatment and management options for proposed new dwelling to be formed in land adjacent to exiting property, Stanes, Main Street, Cummingston.

1.1 Introduction to Surface Water Treatment

With regard to surface water treatment and dispersal, Regulation 3.6 of the Building (Scotland) Regulations 2004, as reproduced below, states that:

Every building and hard surface within the curtilage of a building, must be designed and constructed with a surface water drainage system that will:

- (a) ensure the disposal of surface water without threatening the building and the health and safety of the people in and around the building; and*
- (b) have facilities for the separation and removal of silt, grit and pollutants.*

Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements of the authorities.

With regard to SEPA's requirements, General Binding Rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011, states that the provision of a sustainable urban drainage system (SUDS) is required unless the discharge arises from a single house or if the discharge is to be made to coastal waters. GBR10 and the relevant associated rule is outlined overleaf.

GBR10:

a) Discharge of surface water run-off from a surface water drainage system to the water environment from:

- i. Up to 60 hectares of land used for residential premises;*
- ii. Land used for non-residential premises or yards, except where the buildings or yards are in an industrial estate;*
- iii. Land used as a motorised vehicle parking area with up to 1,000 parking spaces;*
- iv. Metalled roads other than motorways and A roads;*
- v. Waterbound roads; or*

b) Discharge of water run-off from a construction site to the water environment where the site, including any constructed access tracks does not:

- i. Exceed 4 hectares;*
- ii. Contain a road or track length in excess of 5 km; or*
- iii. Including any area of more than 1 hectare or any length of more than 500 metres on ground with a slope in excess of 25°.*

Rules:

d) the discharge must not contain any water run-off from any built developments, the construction of which is completed on or after 01 April 2007, or from construction sites operated on or after 01 April 2007, unless:

- i. during construction those developments are drained by a SUD system or equivalent systems equipped to avoid pollution of the water environment;*
- ii. following construction those developments are drained by a SUD system equipped to avoid pollution of the water environment;*
- iii. the run-off is from a development that is a single dwelling and its curtilage; or*
- iv. the discharge is to coastal water.*

(Source: SEPA: The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 9.2, December 2022.

Section 2.0 Site Profile and Ground Assessment

2.1 Existing Site

Stanes is located to the north of Main Street, Cummingston at or about NGR NJ 13496 69033

The SEPA Flood Map identifies the site and surrounding area as having no specific risk from fluvial or pluvial flooding during a 1:200year event.

2.2 Existing Ground Conditions

Trial pits were carried out by Mabbett on 10th April 2024 to assess the suitability of the existing soils for the use of infiltration as a method of surface water management.

The trial pits were excavated to a depth of 1.5m which confirmed ground conditions of brown, firm to stiff, slightly sandy, silty, Clays proved to the depth of the excavations.

There was no evidence of contamination of water table present during the excavations.

2.3 Location of Services

There are no known services located within the site boundary.

2.4 Other Implications of Plot Size or Vegetation

Any infiltration device for sewage or wastewater must be located:

- at least 50m from any spring, well or borehole used as a drinking water supply, and
- at least 10m horizontally from any watercourse (including any inland or coastal waters), permeable drain, road or railway.

Any infiltration system and any treatment plant must also be located:

- at least 5m from a building, and
- at least 5m from a boundary.

The location of any septic tank or treatment plant must ensure that a desludging tanker can gain access to a working area that:

- will provide a clear route for a suction hose from the tanker to the tank,
- is not more than 25 m from the tank where it is not more than 4m higher than the invert level of the tank, and
- is sufficient to support a vehicle axle load of 14 tonnes.

There should be no notable vegetation that might interfere with any system proposed or vice versa.

2.5 Infiltration Testing

Infiltration testing carried out to BRE 365 Digest for the purpose of evaluating the length and position of a traditional soakaway was undertaken by Mabbett during the site visit.

Weather conditions during the visit were dry/overcast.

The conditions were not considered abnormal for the time of year.

The testing proved unsuccessful as a result of the clay-based soils, it was concluded the site was not conducive to the installation of any form of disposal system based on infiltration.

As a result of these findings, an alternative solution based on achieving a discharge of appropriately attenuated and treated surface water to a watercourse is required to be investigated.

Section 3.0 Surface Water

3.1 Minimum System Requirements

In pursuit of compliance with Regulation 3.6 of the Building (Scotland) Regulations 2004, Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements:

- (a) a SUD system designed and constructed in accordance with clause 3.6.4;*
- (b) a soakaway constructed in accordance with:*
 - *clause 3.6.5;*
 - *the guidance in BRE Digest 365, 'Soakaway Design', or*
 - *National Annex NG 2 of BS EN 752-4: 1998;*
- (c) A public sewer provided under the Sewerage (Scotland) Act 1968;*
- (d) An outfall to a watercourse, such as a river, stream or loch or coastal waters, that complies with any notice and/or consent by SEPA, or*
- (e) If the surface water is from a dwelling, to a storage container with an overflow discharging to either of the 4 options above.*

The area to be drained consists of the roof of the dwelling and associated hardstandings.

3.2 Recommendation - Surface Water

It is proposed that the surface water makes discharges to the existing sewer located within the public road. There are sewers located within main street to the south of the site and within Seaview Road to the north. The final connection location will be determined by Topography and Scottish Water Preference.

Scottish Water Policy requires that there is to be no increase in flow to the existing system up to and including a 1:30 year event.

In line with good practice and CIRIA/Local Authority policy it is proposed to install Rainwater Harvesting as a sustainable method of surface water management for the proposed new roof area. The rainwater harvesting tank is to be used for general garden maintenance, car washing and grey water use within the property (w/c flushing for example). The tank will require an overflow to be attenuated by means of an orifice plate which will discharge to the public sewer.

Standard rainwater harvesting sizing based on manufacturers recommendations can be shown as:

Cleaning use based on 2.5m³ per person per annum = 7,500Litres

Garden water use is estimated as 150Litres/m² per annum in the UK. Garden size of 150m² (estimated based on size of proposed plot) = 22,500Litres

A buffer storage of 20 Days has been applied.

Tank Size is calculated as Demand * Buffer/365 = 1,643Litres

To comply with Scottish Water policy, the tank will also require to manage surface water flows up to and including a 1:30year event.

Based on a discharge rate of 0.5l/s and a proposed roof area of 150m² (allowing for extra over), the storage volume required for a 1:30year event with 42% allowance for climate change is 1.89m³.

The nearest available standard tank size of 3000litres would be suitable for installation.

The final tank design will be a bespoke design carried out by the chosen manufacturer to meet the requirements outlined within this report. The current application is for Planning Permission in Principle and therefore the sizing within this report would require to be reviewed following the final house design.

Section 4.0 Disclaimer

The content of this assessment is for internal use only and should not be distributed to third parties unless under the expressed authority of our client. The designs, recommendations and outline proposals shall remain the property of Mabbett & Associates Ltd and shall not be plagiarised in any form without authority to do so. The comments and recommendations stipulated are solely those expressed by Mabbett & Associates Ltd, and both parties understand that the comments and recommendations expressed are not binding. Mabbett & Associates Ltd confirms that reasonable skill, care, and diligence have been applied and that any design element has been carried out using verifiable and approved reference documentation. No responsibility shall be assumed by Mabbett & Associates Ltd for system failure as a result of incorrect installation work by contractors assigned by the client or incorrect or inappropriate implementation of Mabbett & Associates Ltd's recommendations.

Section 5.0 References

Building (Scotland) Regulations 2004

The Scottish Building Standards: Technical Handbook 2019: Domestic

British Standard BS6297:2007 Code of Good Practice for the Design and Installation of Drainage Fields for use in Wastewater Treatment

British Water Code of Practice: Flows and Loads 4 - Sizing Criteria, Treatment Capacity for Sewage Wastewater Treatment Systems, 2013

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

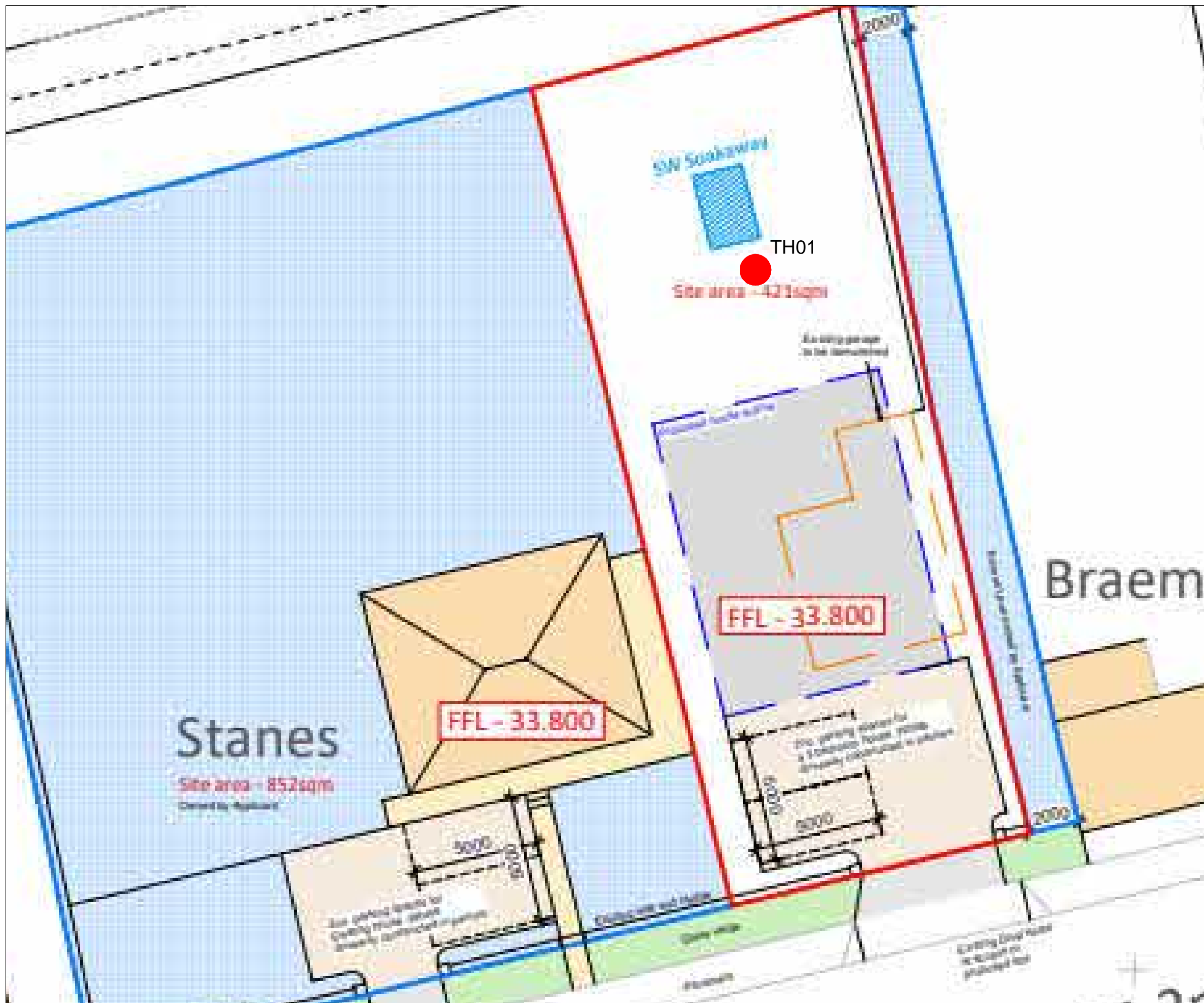
SEPA: The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 9.2, December 2022.

SEPA: Regulatory Method WAT-RM-03: Regulation of Sewage Discharges to Surface Water.

SEPA: Regulatory Method WAT-RM-04 Regulation of Indirect Sewage Discharges to Groundwater

Environment Act 1995

Appendix 1: Test Hole/Location



Rev.	Description	Drawn	Date
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Wsppeff®

Willow House
Stoneyfield Business Park
Inverness IV2 7PA
Tel: 01463 237229
www.mabbett.eu



Client

Tulloch of Cummingston

Project

Proposed Dwelling
Site Adj to Stanes
Cunnington

Drawing

Test Hole Location

Status

Issue

Scale NTS

Sheet A3

Drawn GM

Check DC

Date 29.4.24

Drawing No:

Rev

315097 PL01

X

Appendix 2: Storage Calculations

Design Settings

Rainfall Methodology	FSR	Maximum Time of Concentration (mins)	30.00
Return Period (years)	30	Maximum Rainfall (mm/hr)	50.0
Additional Flow (%)	0	Minimum Velocity (m/s)	1.00
FSR Region	Scotland and Ireland	Connection Type	Level Slopes
M5-60 (mm)	14.000	Minimum Backdrop Height (m)	0.200
Ratio-R	0.300	Preferred Cover Depth (m)	1.200
CV	0.750	Include Intermediate Ground	✓
Time of Entry (mins)	5.00	Enforce best practice design rules	✓

Nodes

Name	Area (ha)	T of E (mins)	Cover Level (m)	Depth (m)
Storage	0.015	5.00	100.000	2.000

Simulation Settings

Rainfall Methodology	FSR	Analysis Speed	Normal
FSR Region	Scotland and Ireland	Skip Steady State	x
M5-60 (mm)	14.000	Drain Down Time (mins)	240
Ratio-R	0.300	Additional Storage (m³/ha)	20.0
Summer CV	0.750	Check Discharge Rate(s)	x
Winter CV	0.840	Check Discharge Volume	x

Storm Durations

15	30	60	120	180	240	360	480	600	720	960	1440
----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	------

Return Period (years)	Climate Change (CC %)	Additional Area (A %)	Additional Flow (Q %)
30	42	0	0

Node Storage Online Hydro-Brake® Control

Flap Valve	x	Objective (HE)	Minimise upstream storage
Replaces Downstream Link	✓	Sump Available	✓
Invert Level (m)	97.500	Product Number	CTL-SHE-0032-5000-1000-5000
Design Depth (m)	1.000	Min Outlet Diameter (m)	0.075
Design Flow (l/s)	0.5	Min Node Diameter (mm)	1200

Node Storage Depth/Area Storage Structure

Base Inf Coefficient (m/hr)	0.00000	Safety Factor	2.0	Invert Level (m)	98.000
Side Inf Coefficient (m/hr)	0.00000	Porosity	1.00	Time to half empty (mins)	21
Depth (m)	Area (m²)	Inf Area (m²)	Depth (m)	Area (m²)	Inf Area (m²)
0.000	3.0	0.0	1.000	3.0	0.0
			1.001	0.0	0.0

Results for 30 year +42% CC Critical Storm Duration. Lowest mass balance: 100.00%

Node Event	US Node	Peak (mins)	Level (m)	Depth (m)	Inflow (l/s)	Node Vol (m³)	Flood (m³)	Status
60 minute winter	Storage	50	98.602	0.602	2.6	1.8964	0.0000	OK
Link Event (Upstream Depth)	US Node	Link	Outflow (l/s)	Discharge Vol (m³)				
60 minute winter	Storage	Hydro-Brake®	0.5	3.8				

Planning Application Drainage Statement

March 2024
Author: C Bremner



Plot to East of Stanes

Cummingsston

Contents

1. Introduction	3
2. Proposed Development	3
3. Foul Water Drainage	3
4. Surface Water Drainage	3
5. Construction Phase	4
6. Future Maintenance	4

Appendices

- Appendix A – Site Location Plan
- Appendix B – Site Plan
- Appendix C – Scottish Water Sewer map

1. Introduction

The site is located at Grid reference NJ 13492 69043 (313492E, 869043N), to the East end of Cummingston. Refer to the site location plan provided in **Appendix A**.

The proposed site is bounded by Stanes to the West and Braemore to the East, separated by a grass access lane which is under the applicants ownership. The site is accessed from the B9040 to the South and bound by Seaview Road to the North.

2. Proposed Development

It is proposed to split the existing site to create a new house plot of 421sqm to the East of the Existing house (Stanes).

Demolish the existing blockwork double garage and form a new vehicle access with off-street parking to serve Stanes.

Full details of the proposed are on the attached Site Plan provided in **Appendix B**.

3. Foul Drainage

It is proposed to connect the foul water to the foul drainage public sewer to the South of the Site. Please refer to the Scottish Water Sewer map **Appendix C**.

4. Surface Water Drainage

The roof water from the proposed dwelling will discharge to a surface water soakaway in the rear garden area to the North of the site.

The proposed parking area is to be formed with porous paviers.

Proposed soakaway location indicated on the Site Plan **Appendix B**.

5. Construction Phase

The measures for controlling surface water run-off will be continually reviewed in line with each stage of construction and any influencing factors.

Consideration is to be given, to surface water run off during and after topsoil strip, after any re-grading of the land and during site construction.

Stripping of topsoil and vegetation is to be limited wherever possible and undertaken just prior to the construction in that particular area. This is to reduce run off and to remove silts/fines from the water and aid natural absorption into the soils.

The installation of the drains, Suds measures and roadways will follow the earthworks operation continually improving the overall site drainage. Suds facilities will be installed at the outset of the sewer works and will be utilized as temporary sediment control. It is essential these are reinstated or reconstructed at the end of construction works. If required Geotextile membrane will be temporarily inserted into gully frames/silt traps to remove silts prior to entering the surface water system.

6. Future Maintenance

The proposed on-site surface water system shall be designed and constructed to the standards set out in Sewers for Scotland (4th Edition) in accordance with good practice.

It is proposed that the surface water soakaway and all new drains are maintained by the homeowner.

The homeowner will require a suitable maintenance regime and therefore the drainage system should be inspected and maintained.

The CIRIA C753 Document provides guidance on the maintenance requirements for Suds features. Please refer to Table 13.1 for maintenance details of the proposed surface water soakaway.

TABLE 13.1 Operation and maintenance requirements for soakaways

Maintenance schedule	Required action	Typical frequency
Regular maintenance	Inspect for sediment and debris in pre-treatment components and floor of inspection tube or chamber and inside of concrete manhole rings	Annually
	Cleaning of gutters and any filters on downpipes	Annually (or as required based on inspections)
	Trimming any roots that may be causing blockages	Annually (or as required)
Occasional maintenance	Remove sediment and debris from pre-treatment components and floor of inspection tube or chamber and inside of concrete manhole rings	As required, based on inspections
Remedial actions	Reconstruct soakaway and/or replace or clean void fill, if performance deteriorates or failure occurs	As required
	Replacement of clogged geotextile (will require reconstruction of soakaway)	As required
Monitoring	Inspect silt traps and note rate of sediment accumulation	Monthly in the first year and then annually
	Check soakaway to ensure emptying is occurring	Annually



t - (01343) 835600 f - (01343) 835700
e - info@tullochofcummingston.co.uk
web - www.tullochofcummingston.co.uk

PROJECT

**Form plot adjacent to Stanes
Cummingston**

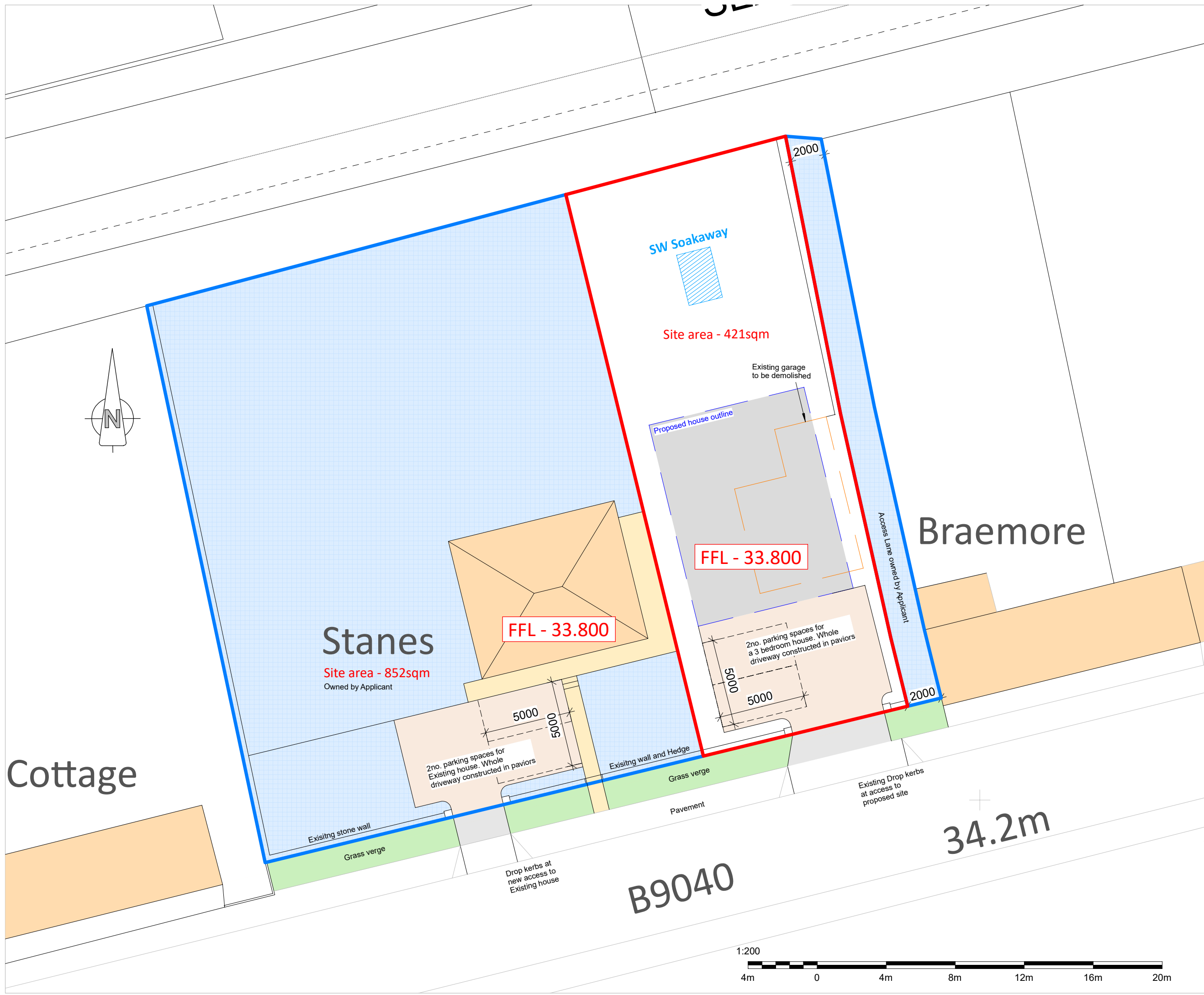
DRAWING DESCRIPTION
Location Plan

DRAWING no.
Stanes / Loc 01

SCALE
1:1250 (A4)

DRAWN BY
CB

DATE
MAR 2024



t - (01343) 835600 f - (01343) 835700
e - info@tullochofcummington.co.uk
web - www.tullochofcummington.co.uk

PROJECT

**Form plot adjacent to Stanes
Cummington**

DRAWING DESCRIPTION

Site Plan

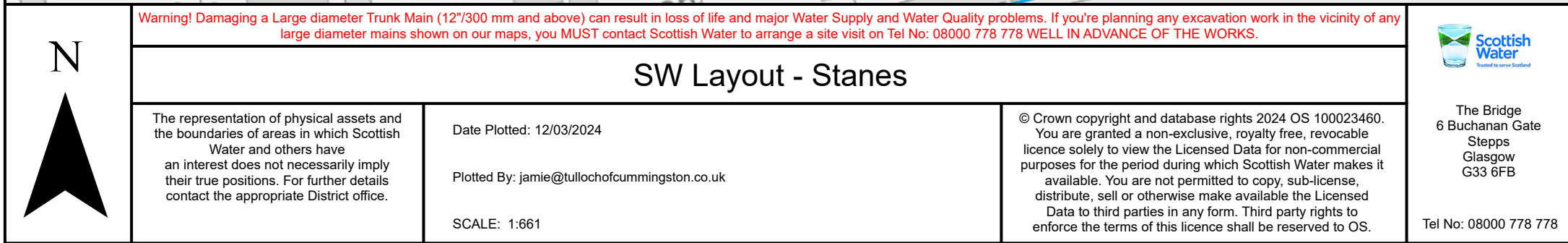
DRAWING no.
Stanes / Site 01

SCALE
1:200 (A3)

DRAWN BY
CB

DATE
MAR 2024





Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	1st April 2024
Planning Authority Reference	24/00428/PPP
Nature of Proposal (Description)	Sub divide site for dwellinghouse and form new vehicle access at
Site	Stanes Cunningston Elgin Moray IV30 5XY
Site Postcode	N/A
Site Gazetteer UPRN	000133050410
Proposal Location Easting	313483
Proposal Location Northing	869030
Area of application site (M²)	421
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=SABSUTBGG1200
Previous Application	07/01152/FUL
Date of Consultation	18th March 2024
Is this a re-consultation of an existing application?	No
Applicant Name	Mrs I Noble
Applicant Organisation Name	
Applicant Address	Stanes Cunningston Elgin Moray IV30 5XY
Agent Name	Tulloch Of Cummingston Ltd
Agent Organisation Name	
Agent Address	Tulloch House Forsyth Street Hopeman Moray IV30 5ST
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer Mobile number	07794 166912
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: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 24/00428/PPP

**Sub divide site for dwellinghouse and form new vehicle access at Stanes Cummingston
Elgin Moray for Mrs I Noble**

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

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

Reason(s) for objection

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Claire Herbert
email address:
archaeology@aberdeenshire.gov.uk
Consultee: Archaeology service

Date...26/03/2024.....
Phone No01467537717

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://publicaccess.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Consultee Comments for Planning Application 24/00428/PPP

Application Summary

Application Number: 24/00428/PPP

Address: Stanes Cummingston Elgin Moray IV30 5XY

Proposal: Sub divide site for dwellinghouse and form new vehicle access 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 - Allan Park

From: Teresa Ruggeri <Teresa.Ruggeri@moray.gov.uk>
Sent: 25 Mar 2024 10:41:47
To: DMSMyEmail@moray.gov.uk
Cc:
Subject: FW: 24/00428/PPP Sub divide site for dwellinghouse and form new vehicle access at Stanes, Cummingston, Elgin, IV30 5XY
Attachments: 24-00428-PPP Sub divide site for dwellinghouse and form new vehicle access at Stanes, Cummingston, Elgin, IV30 5XY.pdf

From: DeveloperObligations <DeveloperObligations@moray.gov.uk>
Sent: Wednesday, March 20, 2024 9:46 AM
To: Shona Strachan <Shona.Strachan@moray.gov.uk>
Cc: DC-General Enquiries <development.control@moray.gov.uk>
Subject: 24/00428/PPP Sub divide site for dwellinghouse and form new vehicle access at Stanes, Cummingston, Elgin, IV30 5XY

Hi

Please find attached the developer obligations assessment that has been undertaken for the above planning application. A copy of the report has been sent to the applicant.

Thanks,
Rebecca

Rebecca Morrison | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development
07971879253 / 01343 563583
rebecca.morrison@moray.gov.uk | [website](#) | [facebook](#) | [twitter](#) | [instagram](#) | [news](#)



Developer Obligations & Affordable Housing: ASSESSMENT REPORT



moray
council

Summary of Obligations

Date: 20/03/2024

Reference: 24/00428/PPP

Description: Sub divide site for dwellinghouse and form new vehicle access at Stanes, Cummingston, Elgin, IV30 5XY

Applicant: Mrs I Noble

Agent: Tulloch Of Cummingston Ltd

This assessment has been carried out by Moray Council. For developer obligations, the assessment is carried out in relation to policy PP3 Infrastructure and Services of the adopted Moray Local Development Plan 2020 (MLDP2020) and Supplementary Guidance (SG) on Developer Obligations which was adopted on 30 September 2020. And, for affordable housing, the assessment is carried out in relation to policy DP2 Housing of the MLDP2020. Affordable housing is a policy requirement not a developer obligation however for ease of reference the Affordable Housing contribution is included within this assessment.

The MLDP2020 can be found at www.moray.gov.uk/MLDP2020 and the Developer Obligations SG can be found at <http://www.moray.gov.uk/downloads/file134184.pdf>

Primary Education	Nil
Secondary Education	Nil
Transport (<i>Contribution towards Demand Responsive Transport</i>)	
Healthcare (<i>Contribution towards extension at Moray Coast Medical Practice or such other healthcare facilities for which the Council is able to demonstrate reasonable justification and will serve the residents of the Development</i>)	
Sports and Recreation	Nil
Total Developer Obligations	
Affordable Housing	
TOTAL	

Breakdown of Calculation

Proposals for developer obligations are assessed on the basis of Standard Residential Unit Equivalents (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

3 bed = 1 SRUE



Moray Council DEVELOPER OBLIGATIONS

This assessment is therefore based on 1 SRUE.

INFRASTRUCTURE

Education

Primary Education

The pupils generated by this development are zoned to Hopeman Primary School. The school is currently operating at 53% physical capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Primary Education = Nil

Secondary Education

The pupils generated by this development are zoned to x High School. The school is currently operating at 86% capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that a contribution towards the Council's demand responsive transport service is required to mitigate the impact, in terms of increased usage, on this service given the proposed development is located within a rural area with no access to bus services. In accord with the Moray Council's Supplementary Guidance on Developer

Obligations, a contribution of [REDACTED] per SRUE is sought. Therefore:

Contributions towards Transport = [REDACTED]

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m².

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.17 persons -Census 2011).

Moray Coast Medical Practice is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Moray Coast Medical Practice is currently working beyond design capacity and existing space will be required to be extended.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the extension of the health center or such other healthcare facilities for which the Council is able to demonstrate reasonable justification and will serve the residents of the Development.

Contribution towards Healthcare = [REDACTED]



Sports and Recreational Facilities

Existing sports provision within Lossiemouth is considered to be adequate to serve the needs of the residents anticipated to be generated by this development. Therefore, in this instance, no contribution will be required.

Contribution for Sports and Recreation Facilities = Nil

AFFORDABLE HOUSING

The average market value of a serviced plot for 1 Affordable Unit within the Elgin local Housing Market Area is [REDACTED]

Contributions are based on 25% of the total number of units proposed in the application:

[REDACTED]

Therefore, the total contribution towards affordable housing is:

[REDACTED]

Affordable housing is a policy requirement not a developer obligation and will not be subject to negotiation.



TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations towards Moray Council infrastructure are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender

Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.



MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: The Moray Council, Flood Risk Management

Planning Application Ref. No: 24/00428/PPP

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

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

Condition(s)

A full surface water drainage design must be submitted with any full application. This should detail the grey water system integration.

Contact: James Ross

Date 26/06/2024

email address: James.ross@moray.gov.uk

Phone No

Consultee: The Moray Council, Flood Risk Management

Thursday, 28 March 2024



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,

Stanes, Cummington, Elgin, IV30 5XY
Planning Ref: 24/00428/PPP
Our Ref: DSCAS-0106741-CNF
Proposal: Sub divide site for dwellinghouse and form new vehicle access

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

- ▶ 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-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 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

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 Services Analyst

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."

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	1st April 2024
Planning Authority Reference	24/00428/PPP
Nature of Proposal (Description)	Sub divide site for dwellinghouse and form new vehicle access at
Site	Stanes Cunnington Elgin Moray IV30 5XY
Site Postcode	N/A
Site Gazetteer UPRN	000133050410
Proposal Location Easting	313483
Proposal Location Northing	869030
Area of application site (M²)	421
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=SABSUTBGG1200
Previous Application	07/01152/FUL
Date of Consultation	18th March 2024
Is this a re-consultation of an existing application?	No
Applicant Name	Mrs I Noble
Applicant Organisation Name	
Applicant Address	Stanes Cunnington Elgin Moray IV30 5XY
Agent Name	Tulloch Of Cummington Ltd
Agent Organisation Name	
Agent Address	Tulloch House Forsyth Street Hopeman Moray IV30 5ST
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer Mobile number	07794 166912
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 24/00428/PPP

Sub divide site for dwellinghouse and form new vehicle access at Stanes Cummingston Elgin Moray for Mrs I Noble

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 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 subdivide an existing properties garden ground to provide a new 3 bed dwelling via the removal of an existing double garage, with the existing vehicular access retained for the new property, and a new access formed for the original property. No alterations (other than the formation of the new access) are proposed to the existing boundary fronting onto the B9040 Main Road which is already set back well behind the public footway. The following conditions would apply:

Condition(s)

1. Notwithstanding the submitted details, prior to the first occupation of the new dwelling house, drop kerbs shall be provided across the new access to The Moray Council specification. The width of the new vehicular access shall be minimum 3.5m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access

2. Parking provision shall be as follows:

- 2 spaces for a new dwelling with two or three bedrooms; or
- 3 spaces for a new dwelling with four bedrooms or more; and
- 2 spaces retained for the existing dwelling.

The car parking spaces shall be provided within the site prior to the occupation or completion of the new dwelling house, whichever is the sooner. The parking spaces shall thereafter be retained 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.

3. No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height (measured from the level of the road) and fronting onto the public road shall be within 2.4m of the edge of the public carriageway.

Reason: To enable drivers of vehicles entering or exiting the site(s) to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

4. New boundary walls/fences shall be set back from the edge of the public carriageway at a distance of as existing.

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

5. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access

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.

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

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.

Note – although the proposed driveway/parking area for the parent property reflects the current arrangement, given the available space within the retained site it would be recommend that the proposed driveway be extended in width to provide a turning area such that vehicles are able to enter and exit onto the public road in a forward gear.

Note – Electric Vehicle (EV) charger infrastructure would require to be provided for the new property; however, for clarity the EV details shall be assessed separately as part of any associated building warrant submission. Guidance on Electric Vehicle (EV) Charging requirements can be found at: <http://www.moray.gov.uk/downloads/file134860.pdf>

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

The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

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

Date 26 March 2024

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/consultation/>. (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 24/00428/PPP

Application Summary

Application Number: 24/00428/PPP

Address: Stanes Cummingston Elgin Moray IV30 5XY

Proposal: Sub divide site for dwellinghouse and form new vehicle access 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 - Andrew Stewart

REPORT OF HANDLING

Ref No:	24/00428/PPP	Officer:	Shona Strachan
Proposal Description/ Address	Sub divide site for dwellinghouse and form new vehicle access at Stanes Cummingston Elgin Moray		
Date:	04/07/2024	Typist Initials:	DJP

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
Moray Flood Risk Management	26/06/24	No objection subject to a condition which would require a full detailed drainage design with any detailed planning application which should detail the grey water system integration.
Planning And Development Obligations	20/03/24	Developer Obligations Assessment identifies obligations towards: Demand Response Transport Healthcare Affordable Housing Contribution is also required.
Environmental Health Manager	18/03/24	No objection
Contaminated Land	21/03/24	No objection
Transportation Manager	26/03/24	No objection subject to conditions for safe access and parking.
Scottish Water	28/03/24	No objection subject to their Pre-Development Enquiry Process at the appropriate juncture.
Aberdeenshire Council Archaeology Service	26/03/24	No objections

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
National Planning Framework 2023		
NPF1 - Tackling the Climate	N	

NPF2 - Climate mitigation and adaptation	N	
NPF3 - Biodiversity	N	
NPF4 - Natural Places	Y	
NPF5 - Soils	N	
NPF12 - Zero waste	N	
NPF13 - Sustainable transport	N	
NPF14 - Design, quality and place	Y	
NPF16 - Quality homes	Y	
NPF18 - Infrastructure first	N	
NPF20 - Blue and green infrastructure	N	
NPF22 - Flood risk	N	
NPF23 - Health and safety	N	
Moray Local Development Plan 2020		
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	
DP2 Housing	N	
EP3 Special Landscape Areas	Y	
EP12 Management and Enhancement Water	N	
EP14 Pollution Contamination Hazards	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		
Issue: This proposal will completely ruin view. Comments (PO): There is no right to a view in planning terms. It is not a material consideration.		
Issue: Noise of construction will cause a huge burden to our ability to work from home. Comments (PO): Whilst it is acknowledged that building works can cause noise disruption, this is of a timebound nature and measures can be put in place to control hours of works etc. Ultimately construction noise is not a material planning reason to refuse a planning application.		

Issue: Carnan has been missed off the plan between Avron Bank and Edoras.

Comments (PO): The purpose of the location plan is to identify the application site. The location plan meets the requirements to do this and meets the requirements of the planning application validation.

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, namely the adopted National Planning Framework 4 and adopted Moray Local Development Plan 2020 (MLDP 2020) unless material considerations indicate otherwise.

The main planning issues are considered below:

Proposal

This application seeks planning permission in principle to sub divide existing house site for dwellinghouse and form new vehicle access at Stanes Cummingston.

As this is an application for planning permission in principle detailed design information has not been provided. The site plan does show an indicative position and footprint for the proposed dwelling and also shows the site access, as well as a new access to be formed for the existing property. During the course of the application an amended site plan was submitted to show a reduced house footprint. This plan is indicative and forms the basis for this assessment.

The site plan also shows the position and footprint of the existing garage which is to be removed. The proposed dwelling is shown to be sited over the footprint of the garage. Drainage is to be connected to the existing mains pipes with a rain water harvesting system to be installed on site, this grey water can be used for W/C flushing and garden maintenance. Access will be to the south onto the main B9040 public road, the proposal would entail the installation of a new access for the existing property.

Site

The property Stanes is a traditionally designed and proportioned single storey dwelling positioned centrally within its plot. Whilst the property is not listed it does have an elegance arising from its traditional design and setting within the plot.

As shown on the site plan, under this proposal the existing property would be sub divided to the east of the site and would entail the removal of the existing flat roofed garage with the proposed house to be positioned at this location. Beyond the site boundary to the east is a narrow access lane with the existing neighbouring property beyond, this eastward neighbouring property is a narrow spanned small proportioned cottage. The public road is to the south of the site which is lined with existing properties and the parent to the west. The garden ground of the property extents to the north and includes a change in level.

Under the terms of the MLDP 2020 Cummingston falls with the Burghead to Lossiemouth Coast Special Landscape Area.

Policy Assessment

Siting and Impact of the Development NPF Policies 14, 16 & 4, and, MLDP Policies DP1, part f & Policy EP3 part b

NPF4 Policy 14 requires that development proposals be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. It also states that development proposals will be supported where they are consistent with the six qualities of successful places; Healthy,

Pleasant, Connected, Distinctive, Sustainable and Adaptable. NPF Policy 14 states that proposals which are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places will not be supported.

NPF Policy 16 is supportive of quality homes for proposals which are for small scale opportunities within existing settlement boundaries.

Policy DP1, part f) sets out specific requirements for sub divide garden plots. Specifying that: proposals do not result in backland development or plots that are subdivided by more than 50% of the original plot. Sub-divided plots must be a minimum of 400m², excluding access and the built-up area of the application site will not exceed one-third of the total area of the plot and advises that the resultant plot density and layout reflects the character of the surrounding area.

Policies NPF4 and MLDP (EP3) Policy EP3 seek to preserve special landscape areas, specifically Policy EP3 part b) applies to urban areas and requires proposal to meet the relevant terms of Policy DP1 and to reflect the traditional settlement character in terms of siting and design.

The existing property Stanes is a traditionally designed and proportioned single storey dwelling positioned centrally within its plot. Whilst the property is not listed it does have an elegant pleasantness arising from its traditional design and its position centrally within the plot. The proposal to remove an existing inconsequential ancillary garage and sub divide the garden ground to create an additional house site in the grounds of the existing dwelling would appear cramped and incongruous to the existing layout and fail to reflect and respect the existing character of the site. The proposal would therefore be detrimental to the character of the site and its surrounds which is part of the Burghead to Lossiemouth Coast Special Landscape Area which requires high quality siting characteristics for all development.

As a result, the existing garden ground of the property Stanes is not considered to be a suitable sub divide house plot. The proposal therefore fails to comply with NPF Policies 14, 16 & 4, and, MLDP Policies DP1, part f & Policy EP3 part b)

Design and Amenity Considerations NPF Policies 14, 16 & 4, and, MLDP Policies DP1, part f & Policy EP3 part b

As detailed above, whilst it is considered that the proposal would undermine the existing high quality character of the site, it is recommended that should the application go on to be approved that any house design should be of restricted height and limited footprint with traditional materials and finish. This is to help ensure an acceptable design and appearance and limit amenity impacts in relation to any over bearing impacts from a dwelling being sited in an existing garden. However, these matters are considered separate from and does not override the policy objection to the proposal based on the inappropriate siting of the proposal.

Water and Drainage NPF 20 & 22 / MLDP 12 & 13

Scottish Water has confirmed no objection to the proposal and any connections required for drinking and foul connection would be the subject of separate liaison between the applicant and Scottish Water at the appropriate juncture should the application go on to be approved.

The application has been supported by a drainage assessment which has been accepted by Moray Flood Risk Management the surface water drainage proposal is considered acceptable for planning permission in principle and further details would be sought as part of any future detailed application. Compliance with Drainage requirements is separate from and does not override the policy objection to this proposal based on its inappropriate siting.

Access and Parking NPF 13 / MLDP DP1

The Transportation Manager has raised no objection to the proposal subject to conditions for safe secure access for the existing and proposed dwelling. The Transportation Manager, is satisfied that

these can be achieved. However, this is separate from the policy objection to the proposal based on its unacceptable siting.

Developer Obligations and Affordable Housing NPF 18 / MLDP PP3 & DP1

The Assessment identifies that Developer Obligations towards demand responsive transport and healthcare is required. An affordable housing contribution is also required.

The applicant has confirmed willingness to accept the obligations and the contribution, these aspects would be secured by a Section 75 Agreement should the application go on to be approved. The proposal would therefore acceptable under the requisite requirements of policies. However, this is separate from the policy objection to the proposal based on its unacceptable siting.

Climate Change, Soils and Biodiversity NPF 1, 2, 3 & 5

The proposal seeks to further develop an already developed house site within an existing settlement boundary. Therefore the proposal is not considered to be significantly detrimental to the global nature and climate crisis. Specific requirements for biodiversity enhancement could be requested as part of any detailed design proposals. However, these matters are separate from and do not override the unacceptable siting of the development.

Conclusion and Recommendation

In this instance, the proposal has failed to comply with the terms of Policies NPF Policies 14 & 4, and, MLDP Policies DP1, part f & Policy EP3 part b). The proposal for the subdivision of garden ground to create an additional dwelling would fail to reflect and respect the character of the site and therefore would be detrimental to the character of the site and the surrounding area which is part of the Burghead to Lossiemouth Coast Special Landscape Area which requires high quality siting characteristics to be achieved.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

N/A

HISTORY

Reference No.	Description			
07/01152/FUL	Take down and replace existing timber conservatory with new UPVC conservatory at Stanes Cummingston Burghead Elgin Moray			
	Decision	Permitted	Date Of Decision	03/07/07

ADVERT

Advert Fee paid?	N/A		
Local Newspaper	Reason for Advert	Date of expiry	

DEVELOPER CONTRIBUTIONS (PGU)

Status	CONT SOUGHT
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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: Drainage Assessment

Main Issues: Provides detail of proposed drainage design which will include a grey water system.

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

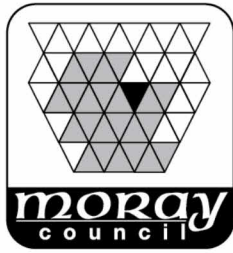
NO

Section 32

Requiring planning authority to consider the imposition of planning conditions

NO

Summary of Direction(s)

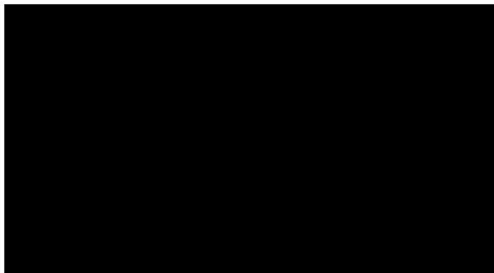


**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Heldon And Laich]
Planning Permission in Principle**

TO



With reference to your application for planning permission in principle 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:-

**Sub divide site for dwellinghouse and form new vehicle access at Stanes
Cunningston Elgin Moray**

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

Date of Notice: **9 July 2024**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance
Moray Council
PO Box 6760
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, the 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 Policies NPF Policies 14, 16 & 4, and, MLDP Policies DP1, part f & Policy EP3 part b) of the Development Plan because: The proposal to create an additional house site in the garden grounds of the existing parent property Stanes would appear incongruous to the existing site layout and fail to reflect and respect the existing character of the site. The proposal would therefore have a detrimental impact on the quality of the built environment at this site and be detrimental to the character and surrounding area which is part of the Burghead to Lossiemouth Coast Special Landscape Area which requires high quality siting characteristics for all development. The proposal would therefore be contrary to Policies NPF Policies 14, 16 & 4, and, MLDP Policies DP1, part f & Policy EP3 part b) of the Development Plan.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
STANES/SITE01		Site plan
STANES/LOC01		Location plan
STANES/VIS01		Visibility splay

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL,
AS AGREED WITH APPLICANT (S.32A of 1997 ACT)**

Amended site plan submitted showing a reduced house footprint.

**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.scot/eplanningClient

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.

