



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 100651066-001

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 front section of garage to hair salon retaining rear section as garden store at 7 Mitchell Crescent Elgin

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:	Plans Plus		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Colin	Building Name:	Plans Plus Offices
Last Name: *	Keir	Building Number:	
Telephone Number: *	01343 842635	Address 1 (Street): *	Main Street
Extension Number:		Address 2:	Urquhart
Mobile Number:		Town/City: *	By Elgin
Fax Number:		Country: *	Moray
		Postcode: *	IV30 8LG
Email Address: *	ctkplans@aol.com		
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:	Miss	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Miglana	Building Number:	7
Last Name: *	Stefanova	Address 1 (Street): *	Mitchell Crescent
Company/Organisation		Address 2:	Elgin
Telephone Number: *		Town/City: *	Moray
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	IV30 4EH
Fax Number:			
Email Address: *	ctkplans@aol.com		

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

7 MITCHELL CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ELGIN

Post Code:

IV30 4EH

Please identify/describe the location of the site or sites

Northing

863612

Easting

321557

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.04

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)

Domestic house and 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>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px 10px;">3</div>
<p>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)? *</p>	<div style="border: 1px solid black; padding: 2px 10px;">2</div>
<p>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).</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No (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 type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input checked="" 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;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

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

Normal house recycling bins. No trade waste as such

Residential Units Including Conversion

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

☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

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

☒ Yes ☐ No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 2 Financial, professional and other services

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

10

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

10 sq.m

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: Colin Keir

On behalf of: Miss Miglena Stefanova

Date: 08/11/2023

☒ 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 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 Colin Keir

Declaration Date: 08/11/2023



design consultants

Phone: 01343 842635
Fax: 01343 842785
Mobile: 07766 315501
Email: ctkplans@aol.com
Web: <http://members.aol.com/ctkplans>

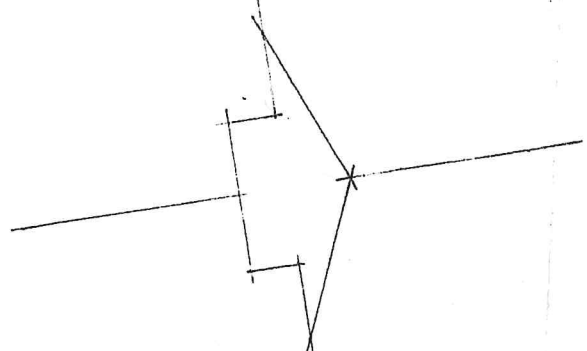
Main Street, Urquhart, Elgin, Moray, IV30 8LG

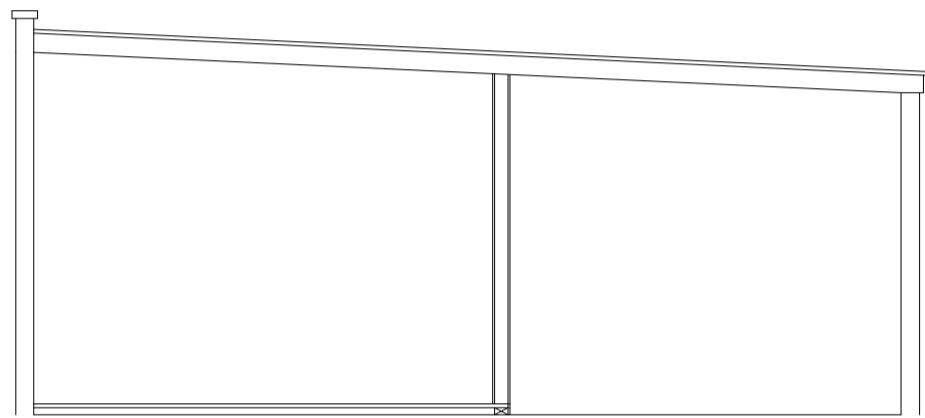
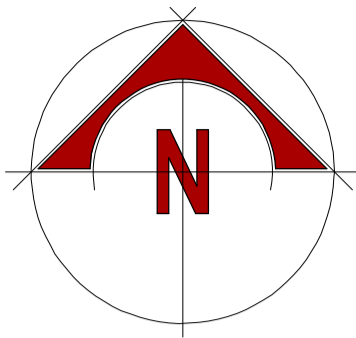
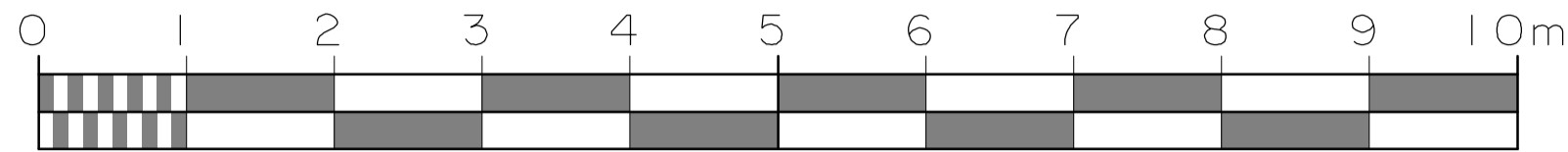
LOCATION PLAN

site referred to

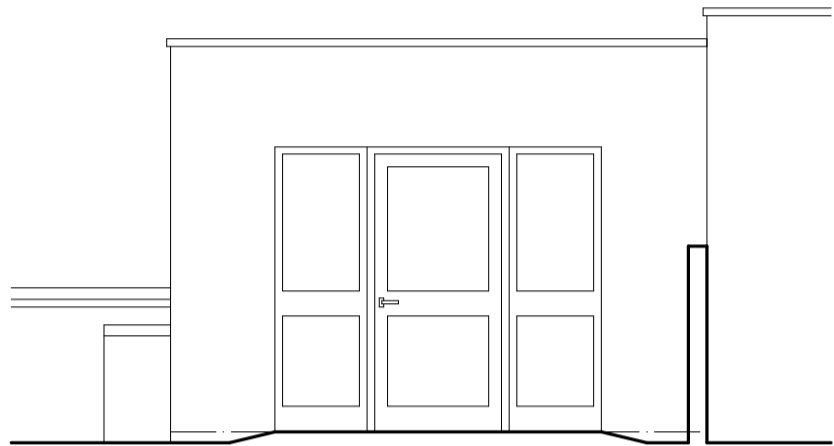


LOCATION PLAN 1~2500

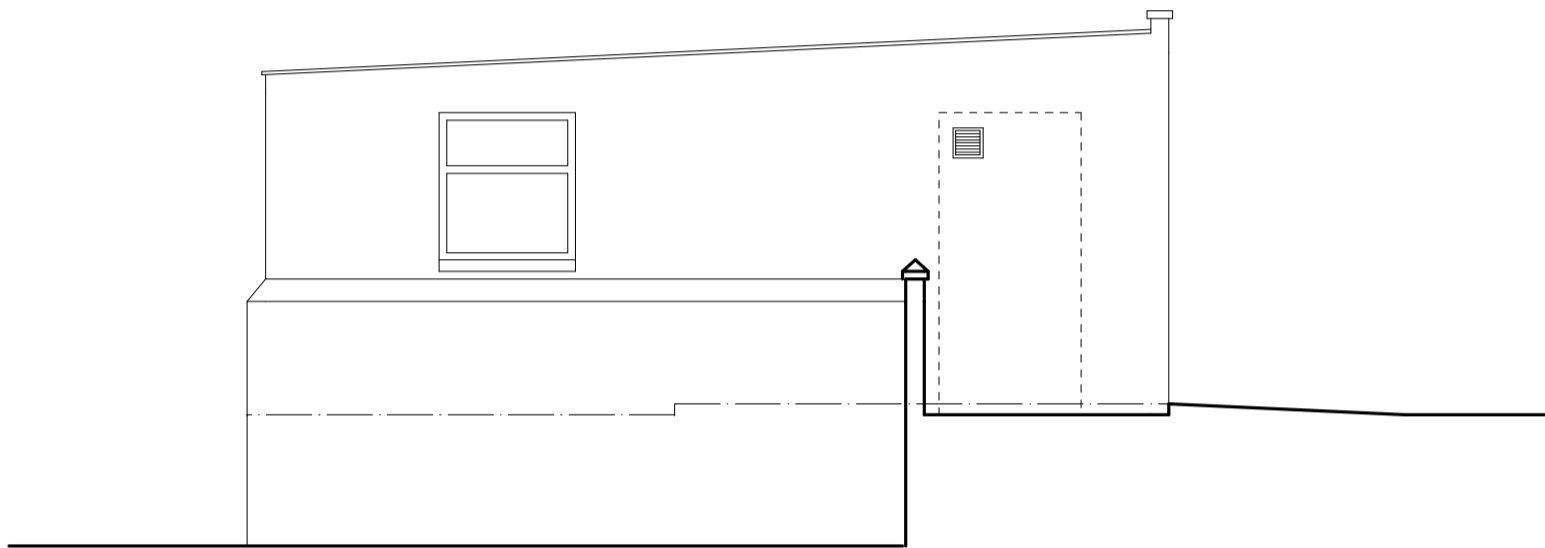




LONGITUDINAL SECTION.
SCALE 1-50



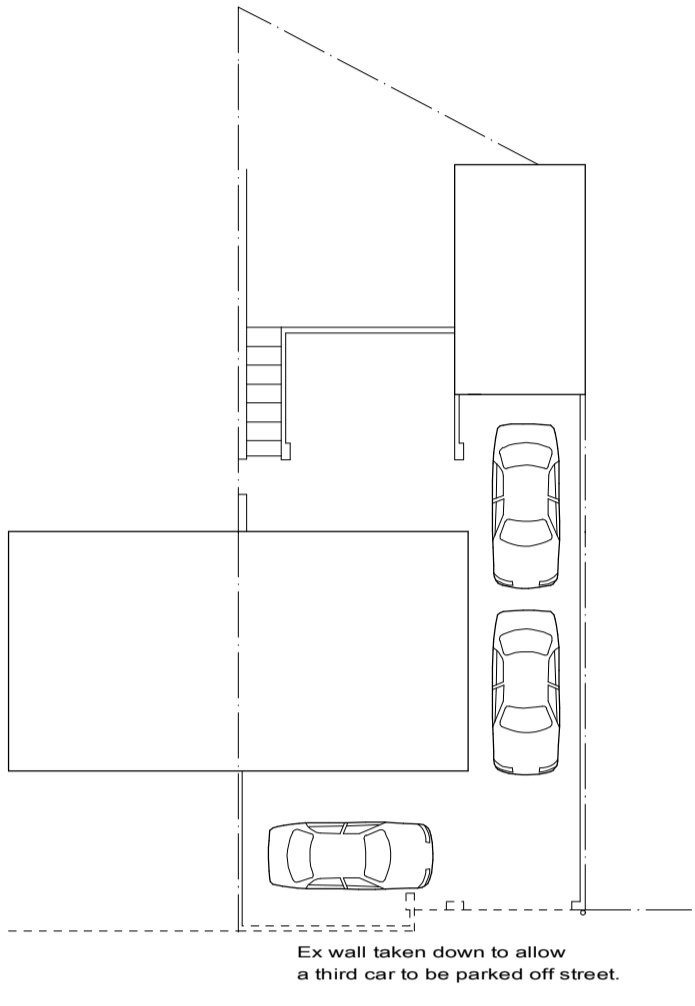
FRONT ELEVATION
SCALE 1-50



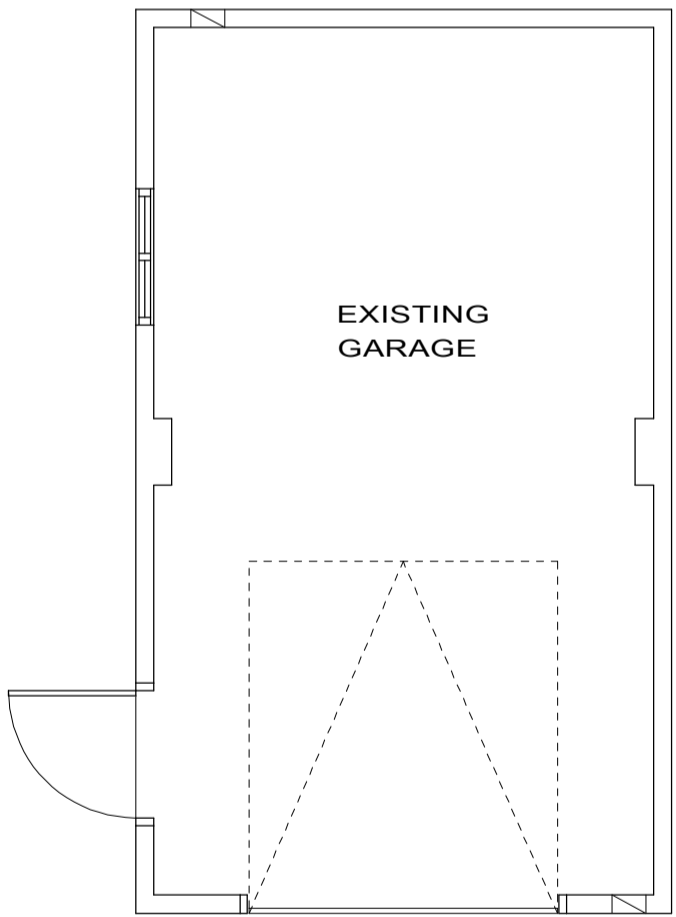
SIDE ELEVATION
SCALE 1-50

The building will be unheated but insulation will be provided. The garage door infill of glazed windows and doorway will attract heat from the sun as they face directly South.

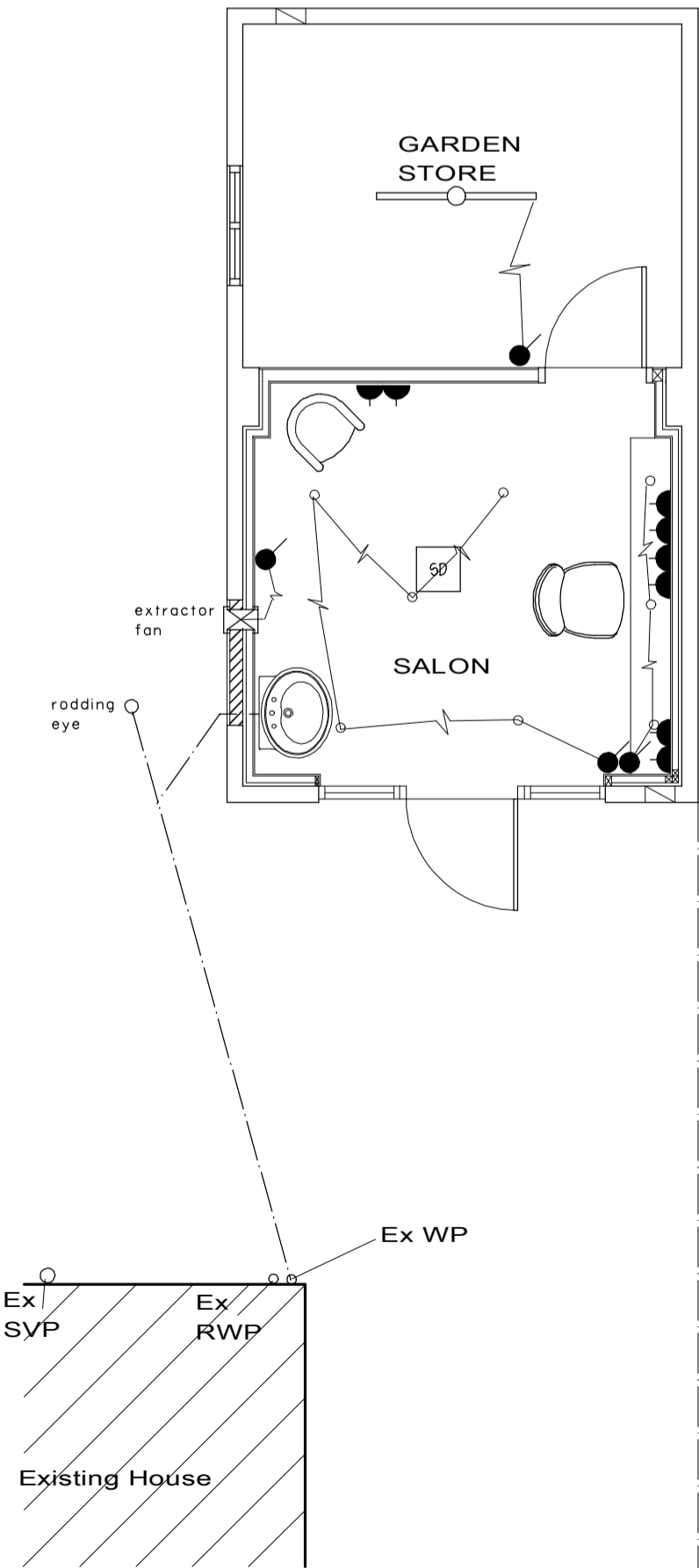
The opening hours will only be for 3 hours a day between 3pm and 6pm. There will be no staff only the applicant working from this salon. The premises will operate from Tuesday to Saturday inclusive but closed on Sunday and Mondays.



SITE PLAN
SCALE 1-200



EXISTING GARAGE PLAN
SCALE 1-50



PROPOSED NEW LAYOUT
SCALE 1-50

NOTES.

Existing concrete floor to have 50x50mm tww battens at 400mm crs laid on top with 22mm T and G flooring and a vineer floor covering finish. Due to the age of the garage it has been assumed that the existing concrete floor has a DPC below the concrete. 50mm Kingspan insulation laid between battens.

New partition formed with 97x47mm tww posts at 600mm crs with double top and bottom rails and centre dwangs and finished both sides with 12.5mm plasterboard. Joints taped and filled and decorated in salon side of partition. 100mm glasswool insulation between posts.

Existing 100mm concrete block walls to have 25mm air gap then 72x47mm tww posts at 600mm crs with 70mm glasswool insulation between posts and finished with 12.5mm plasterboard with joints taped and filled ready for decoration

Existing roof is made up of metal sheeting on 125x50mm rafters at 1200mm crs with purlins between 12.5mm plasterboard added to underside of rafters and to be taped and filled ready for decoration.

Existing side door to be infilled with 100mm concrete block wall to match the existing garage construction. Finished externally with roughcast with waterproofer incorporated in mix to match existing external walls. Lined internally as per the specification above.

The light switch to the garden shed is to be re-positioned as indicated.

The new waste pipe 50mm dia from the wash hand basin taken out through built up doorway and then connected to the existing house drainage system at the rear as indicated. A rodding point is to be provided as indicated. Depth of drain to be assessed on site.

Window and door fixings.
All new windows and doors to be manufactured to meet minimum recognised product standards and defined component performance to resist forced entry. Units to be installed in accordance with recommendations given in section 8 of BS 8213-4:2007 or manufacturers instructions where they reach or exceed standard.

WINDOWS AND DOORS.

New Upvc windows and doors to incorporate low emmisive double glazing providing a U value not more than 1.4W/m2K. Supplier to provide certification for materials and U values provided. Any glazing within 800mm of floor level, part of a door leaf or within 300mm of a door leaf and within 1500mm of floor to be toughened safety glass in accordance with BS6262:Part4 2005.

WINDOW AND DOOR FIXING.

All accessible windows and doors to be manufactured to meet min recognised product standards and defined component performance to resist forced entry. Units to be installed in accordance with the recommendations given in Section 8 of BS 8213-4:2007 or manufacturers instructions where they meet or exceed standard.

Access to salon is by a level access path to the building. Maximum 5mm rise at door.
150mm extract fan provided to salon located in former doorway fitted with isolator switch.

Planning Ref No.		
Building Warrant Ref No.		
Structural Engineer Ref No.		
Revisions and Distributions.		
Date	Revision.	Amended by.

Crown copyright all rights reserved License No. 100041145.

No works to commence on site until all relevant Local Authority consents have been obtained. No responsibility taken for work commenced before all Local Authority consents have been issued.

Contractors will have deemed to have visited the site to familiarise themselves with all aspects of the project prior to submitting any quotation for the building operations.

Any deviation to the approved plans to be reported to this office. Contractors to check all dimensions on site prior to commencement of any building operations.

Given dimensions only to be used. DO NOT SCALE DRAWINGS.

Any roof truss or timbers tying into an existing roof to be checked on site by the contractor to ensure heights and ridges meet correctly.

PLANS PLUS (URQUHART) ARCHITECTURAL DESIGN CONSULTANTS Main Street Offices, Urquhart, By Elgin IV30 8LG. Tel No 01343 842635 / 07766 315501 ctkplans aol.com		
Project CONVERT SMALL AREA OF GARAGE TO PART TIME HAIR SALON AT 7 MITCHELL CRESCENT, ELGIN, MORAY, IV30 4EH.	Project No. 23-37-D-1-A	
Client MIGLENA STEFANOVA	Drawn By Colin T Keir	Scale AS INDICATED.



design consultants

Phone: 01343 842635
Fax: 01343 842785
Mobile: 07766 315501
Email: ctkplans@aol.com
Web: <http://members.aol.com/ctkplans>

Main Street, Urquhart, Elgin, Moray, IV30 8LG

PLANNING DESIGN AND DRAINAGE STATEMENT

**PROJECT :- CONVERT PART OF GARAGE TO HAIR SALON AT
7 MITCHELL CRESCENT, ELGIN IV30 4EH**

PROJECT NUMBER 23-27

This is an application to convert the front part of an existing domestic garage into a small hair salon to try and establish a client base with a view to opening a larger salon in the town. At present the garage is used for storage but there is sufficient room at the side of the house to comfortably accommodate 2 car parking spaces. It is anticipated that any trade would be local and due to the restricted hours of operations, only 1 client would be in attendance at any given time. Depending on the treatment, one client may take up the full allocation of time for that day. A maximum of 3 clients a day is anticipated.

The applicant is prepared to remove the wall at the front of the house to provide a third parking space if required but the applicant's partner will not be at home when the salon is operating due to his work commitments. This means only one car will be taking up a space at the side of the house.

The salon would only be open between 3pm and 6pm Tuesday to Saturday inclusive. Sunday and Monday would be closed. No staff are proposed on the applicant would work the salon.

There is a whb from the proposed salon which will be connected to the house waste system at the rear of the building. This is a Scottish Water sewerage system. All rainwater drainage is existing.



Low back ground music only would be anticipated but client is mindful of her neighbours.

The salon would not produce any powerful odours but there is an extractor fan on the west wall of the salon which, if used, would disperse any odour into her own property.

Wednesday, 22 November 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
www.scottishwater.co.uk



Dear Customer,

7 Mitchell Crescent, Elgin, IV30 4EH
Planning Ref: 23/01971/APP
Our Ref: DSCAS-0098859-RVM
Proposal: Convert front section of garage to hair salon retaining rear section as garden store

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:

Waste Water Capacity Assessment

- ▶ This proposed development will be serviced by Moray West Waste Water Treatment Works. 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.

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 launderettes. 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	5th December 2023
Planning Authority Reference	23/01971/APP
Nature of Proposal (Description)	Convert front section of garage to hair salon retaining rear section as garden store at
Site	7 Mitchell Crescent Elgin Moray IV30 4EH
Site Postcode	N/A
Site Gazetteer UPRN	000133024858
Proposal Location Easting	321557
Proposal Location Northing	863612
Area of application site (M²)	400
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=S3UGSNBGKYP00
Previous Application	23/01478/ID
Date of Consultation	21st November 2023
Is this a re-consultation of an existing application?	No
Applicant Name	Miss Miglena Stefanova
Applicant Organisation Name	
Applicant Address	7 Mitchell Crescent Elgin Moray IV30 4EH
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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: Environmental Health Manager

Planning Application Ref. No: 23/01971/APP

Convert front section of garage to hair salon retaining rear section as garden store at 7 Mitchell Crescent Elgin Moray IV30 4EH for Miss Miglena Stefanova

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

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

Condition(s)

This Section recommends approval of the development subject to the following condition-

Unless otherwise agreed in writing with the Planning Authority, the use of the development shall be permitted between the hours of 1500 to 1800 hours from Tuesday to Saturdays.

Informative

The premises will require to comply with the Health and safety at Work etc Act 1974 and associated regulations.

Contact: Douglas Caldwell
email address:
Consultee:

Date.....08.12.23.....
Phone No

Return response to

consultation.planning@moray.gov.uk

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://publicaccess.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and

representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using “redaction” software to avoid (or mask) the display of such information. Where appropriate other “sensitive” information within documents will also be removed prior to publication online.

Re-consultation Request Notification

Planning Authority Name	Moray Council
Response Date	5th February 2024
Planning Authority Reference	23/01971/APP
Nature of Proposal (Description)	Convert front section of garage to hair salon retaining rear section as garden store at
Site	7 Mitchell Crescent Elgin Moray IV30 4EH
Site Postcode	N/A
Site Gazetteer UPRN	000133024858
Proposal Location Easting	321557
Proposal Location Northing	863612
Area of application site (M²)	400
Additional Comments	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=S3UGSNBGKYP00
Previous Application	23/01478/ID
Date of Consultation	22nd January 2024
Is this a re-consultation of an existing application?	Yes
Applicant Name	Miss Miglena Stefanova
Applicant Organisation Name	
Applicant Address	7 Mitchell Crescent Elgin Moray IV30 4EH
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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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.

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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: 23/01971/APP

Convert front section of garage to hair salon retaining rear section as garden store at 7 Mitchell Crescent Elgin Moray IV30 4EH for Miss Miglena Stefanova

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 convert part of an existing residential garage to a small hair salon. The applicant has submitted supporting details clarifying the operating arrangements (max one client at any time and max three clients per day, and with the occupier being the sole member of staff), which are considered to result in an only minimal increase in vehicular trips to and from the property. The property driveway/access is to be altered to accommodate an additional visitor parking space.

Note – for clarity although the submitted details show the removal of the full extents of the existing boundary wall fronting onto Mitchell Crescent, the section of boundary wall presently located along the rear edge of the public footway should be retained, and essentially with only the indented section removed. This will facilitate access to the new parking space but also enable the existing drop kerbs to be utilised without alteration. It would also reduce any loss of on street parking availability outside the property (and ensure that vehicles are not tempted to bump over the full height kerbs). The following conditions would therefore apply:

Condition(s)

1. Notwithstanding the submitted details prior to the first use of the garage as a hair salon a section of the existing (indented) boundary wall and pedestrian gate fronting onto the U171E Mitchell Crescent shall be removed to extend the existing access to a width of no greater than 5.0m. Access to the widened driveway/parking area thereafter shall be provided via the existing unaltered drop kerbs.

Reason: To ensure acceptable infrastructure at the development access

2. Parking provision shall be the following:
 - 2 spaces retained for the property; and
 - 1 space provided for customers.

The car parking spaces shall be provided within the site prior to the first use of the garage

as a hair salon and made available for use by staff and customers 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/customers/others in the interests of an acceptable development and road safety.

3. 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 widened 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.

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.

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

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.

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
Consultee: TRANSPORTATION

Date 25 January 2024

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.

REPORT OF HANDLING

Ref No:	23/01971/APP	Officer:	Shona Strachan
Proposal Description/ Address	Convert front section of garage to hair salon retaining rear section as garden store at 7 Mitchell Crescent Elgin Moray IV30 4EH		
Date:	04/03/2024	Typist Initials:	EW

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Transportation Manager	25/01/24	No objection following the submission of an amended plan which shows how 3 parking spaces could be achieved on site.
Environmental Health Manager	08/12/23	No objection with conditions which would seek to control the hours of operation, and an informative note that the premises would have to comply with Health and Safety at work regulations.
Scottish Water	22/11/23	No objection subject to the applicant undertaking the Scottish Water Pre-Development Enquiry Process.

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
National Planning Framework 2023		
NPF14 - Design, quality and place	Y	
NPF26 - Business and industry	Y	
NPF1 - Tackling the Climate	N	
NPF2 - Climate mitigation and adaptation	N	
NPF3 - Biodiversity	N	
NPF13 - Sustainable transport	N	
Moray Local Development Plan 2020		
PP2 Sustainable Economic Growth	Y	
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	

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

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 (NPF4) and adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.

The main planning issues are considered below:

Proposal

Planning permission is sought to convert the front section of an existing domestic garage to a hair salon at 7 Mitchell Crescent Elgin. The rear section of the garage would be used as a garden store.

Physical alterations to the garage would entail replacing the existing garage door with an entrance door with glass panel surround and blocking off an existing side door. Internally the garage would be partitioned to create the front bespoke salon space and the rear garden store.

As advised in the supporting statement, the proposed operating arrangements entail: The hair salon operating between 3pm and 6pm Tuesday to Saturday with the applicant being the only person working in the salon. It is anticipated that there would be a maximum of 3 clients per day with 1 client in attendance at any one time.

During the course of the application the applicant/agent submitted revised plans to show the removal of the existing front boundary wall to show how three parking spaces would be achieved on site. The provision of three parking spaces on site would allow for 2 parking spaces for the property and 1 space for customers. Following the submission of the revised plan, further neighbour notification on the proposals was undertaken.

Site

7 Mitchell Crescent is part of an adjoining row of residential properties on a residential street in Elgin.

Properties No1 to and including No7 make up the adjoining row of properties. Neighbouring property No9 is separated from No7 by their driveways but their garages adjoin.

North Street which is a busy mixed use street is located approximately 100m meters to the east of the site. However, Mitchell Crescent itself is characterised as a residential street.

Policy Assessment

NPF Policy 26 Business and Industry Part b)

Development proposals for home working, live work units and micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.

NPF Policy 14 Design, Quality and Place Part c)

Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

MLDP 2020 Policy DP1 Development Principles

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

MLDP 2020 Policy PP2 Sustainable Economic Growth

Policies PP2 promote sustainable economic growth provided all potential impacts can be successfully mitigated.

In this case, whilst it is recognised that the application proposal is for the hair salon to operate between 3pm and 6pm Tuesday to Saturday with the applicant being the only person working in the salon and likely customer numbers to be in the region of 3 clients per day with 1 client in attendance at any one time. A hair salon is not a typical use ordinarily associated or compatible with residential use. Further, it is considered that given the proposal would entail the creation of a bespoke salon within a domestic garage building within the confines of a private home, it would not possible to practically or effectively enforce any such planning condition(s) which would seek to restrict the operation of the hair salon to the hours, days and numbers of clients identified by the applicant.

Therefore, the operation of the salon use with uncontrolled hours, days and numbers of clients would result in an increase of footfall and traffic movements with their associated noise and disturbance which would have a significant adverse impact on the residential amenity of the surrounding residential properties.

Taking account of the above considerations, the hair salon is incompatible with the existing residential use and given that the operations of a salon within a domestic garage within the confines of a private home cannot be controlled by planning condition; it is considered that the increase in footfall and traffic movements and their associated noise and disturbance would have a significant adverse impact on the residential amenity of the surrounding residential properties.

In light of the above the proposal is deemed to result in an adverse impact on the residential amenity of the surrounding area and as such is contrary to policies NPF 26b & 14c and MLDP DP1 and PP2.

Design Considerations NPF14 and MLDP 2020 DP1

The external alterations associated with the change of use would be acceptable and in and of themselves would not create any adverse amenity impacts. The proposal meets the design requirements of Policies NPF14 and MLDP 2020 DP1. However, this is separate from the unacceptable use of the bespoke hair salon.

Access and Parking (NPF13 / MLDP DP1 & PP3)

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

The Transportation Section has raised no objection to the proposal based on the submission of revised plans which show how the 3 parking spaces could be achieved on site allowing for 2 parking spaces for the property and 1 space for customers. Transportation has recommended conditions which would detail the required access and parking specifications. Subject to compliance with these conditions the proposal would be acceptable under Policies NPF13 and the access and parking requirements of Policy DP1 and PP3. However, this is separate from the unacceptable use of the salon.

Climate Change and Biodiversity (NPF4 policies 1, 2 & 3)

NPF4 policies 1 and 2 require significant weight to be given to the climate and nature crises in the assessment of all applications and requires climate mitigation from all development. Policy 3 requires biodiversity enhancements. The proposal is of small scale nature that will result in minimal impact in terms of climate change. Biodiversity enhancements are not considered appropriate for a development of this nature in this location. The criteria in the policy has been met. However, this is separate from the unacceptable use of the bespoke salon.

Recommendation

Refuse

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

HISTORY				
Reference No.	Description			
23/01478/ID	Operate hairdressing business at 7 Mitchell Crescent Elgin Moray IV30 4EH			
	Decision	Planning Permission Required	Date Of Decision	07/09/23

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

DEVELOPER CONTRIBUTIONS (PGU)	
Status	

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: Supporting Statement		
Main Issues:	<p>Seeks to provide comments in support of the application and details the operating arrangements.</p> <p>The proposed operating arrangements entail: The hair salon operating between 3pm and 6pm Tuesday to Saturday with the applicant being the only person working in the salon. It is anticipated that there would be a maximum of 3 clients per day with 1 client in attendance at any one time.</p>	

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)			

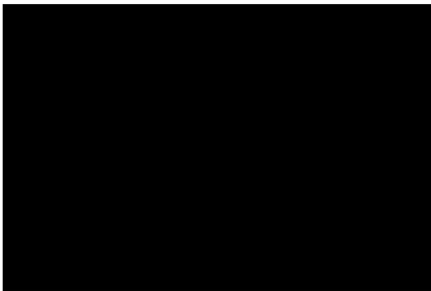


**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Elgin City North]
Application for Planning Permission**

TO

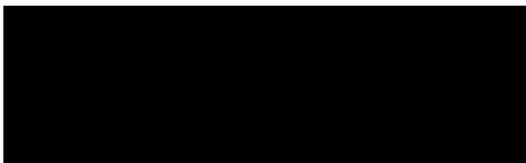


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Convert front section of garage to hair salon retaining rear section as garden store at 7 Mitchell Crescent Elgin Moray IV30 4EH

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

Date of Notice: **6 March 2024**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

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

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

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

- i) A bespoke hair salon is an incompatible use within a domestic garage in the confines of a residential property.
- ii) The salon within the private residential property is incompatible with the residential location, and, the increase in footfall and traffic movements with their associated noise and disturbance would have an adverse impact on the residential amenity of the surrounding residential properties.

The proposal is therefore contrary to NPF Policies 26 b) and 14 c) and MLDP 2020 Policies DP1 (i) a) and PP2 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
		Location plan
23-37-D-1	A	Elevations and floor plans

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

Revised plans to show additional onsite parking.

NOTICE OF APPEAL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

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

