

23/00892/APP
6th June 2023

Construction and operation of an aerobic digestion facility and energy centre with associated landscaping and drainage works on Land Approximately 150 Metres To The West Of The Portgordon Maltings Buckie for Grissan Engineering Services Ltd

Comments:

- A site visit will have been carried out.
- This application is being considered in conjunction with planning applications 23/00894/APP & 23/00895/APP, whereby together the cumulative impact is of a scale similar to a major planning application.
- Advertised for neighbour notification purposes – notification not possible because no premises are situated on land to which notification can be sent.
- Advertised as a development of a Class specified in Schedule 3 of the Development Management Regulations 2013.
- No representations have been received.

Procedure:

- Determine planning application 23/00892/APP first as this includes necessary infrastructure to support development of 23/002894/APP & 23/00895/APP.

Recommendation

Grant Planning Permission – Subject to the following:

Conditions/Reasons

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. Prior to the commencement of any part of the development details (scaled plans 1:500 min) shall be submitted for approval in writing by the Planning Authority in consultation with the Roads Authority for the provision of bend widening on the A990 at Bin View Terrace including any associated works necessary to modify

road drainage, kerbing, services, signing and lining and repositioning of existing bus stop infrastructure associated with this. The road profile shall be modified to correct the camber for the new centreline and the full width of the road shall be resurfaced over the extent of the road widening. Thereafter the works shall be completed in accordance with the approved details prior to the completion of the development or the development becoming operational (whichever is soonest).

Reason: To ensure an acceptable infrastructure is provided on the route to/from the development in the interests of road safety.

3. No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority. The Construction Traffic Management Plan shall include the following information:
 - a) duration of works;
 - b) construction programme;
 - c) details for any Abnormal Indivisible Loads (AIL's) including route assessments;
 - d) details for the removal/disposal of any bulk material from site including volume, type, destination and route;
 - e) anticipated schedule for delivery of materials and plant;
 - f) full details of any temporary construction access;
 - g) measures to be put in place to prevent material being deposited on the public road;
 - h) traffic management measures to be put in place during works including any specific instructions to drivers; and
 - i) parking provision, loading and unloading areas for construction traffic.

Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure an acceptable form of development in terms of the arrangements to manage traffic during construction works at the site.

4. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area. The above should be undertaken initially as a trial trenching evaluation of 7-10% of the total proposed development site, to be carried out by a suitably qualified archaeological contractor.

5. Construction works (including vehicle movements) associated with the development audible at any point on the boundary of any noise sensitive dwelling shall be permitted between 0800 - 1900 hours, Monday to Friday and 0800 - 1300 hours on Saturdays only, and at no other times out with these permitted hours (including National Holidays). The above construction hours shall apply, unless otherwise agreed in writing with the Planning Authority, and where so demonstrated exceptional operational constraints require limited periods of construction works to be undertaken out with the permitted construction hours.

Reason: To protect local residents from noise nuisance in ensuring the construction phase is restricted within permitted hours.

6. No development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Planning Authority in consultation with the Environmental Health Manager. The plan shall include measures to minimise construction related noise (including vibration), dust and artificial lighting.

Thereafter the development will be carried out in accordance with the agreed plan.

Reason: In order that environmental emissions are considered and managed at the construction phase, in order to protect local residents.

7. The rating level of noise associated with the development on its own and/or in combination with the development 23/00894/APP and 23/00895/APP, shall not exceed the background sound level at the nearest noise sensitive dwelling which is lawfully existing or has planning permission at the date of this permission. The background sound level for the daytime (0700 to 2300 hours) and night-time hours (2300 to 0700 hours) associated with this consent has been identified within table 7 of the approved Noise Impact Assessment supporting document by Dice Environmental Acoustics, dated 31st July 2023 Ref:101072-R01, Version 1 and titled "Grissan, Portgordon Noise Impact Assessment".

For the avoidance of doubt, the rating level and background sound level associated with this condition are defined within BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound. The receptor locations for the background sound levels (stated as R1 to R4 in the above document) are identified in Section 1.2 of the Noise Impact Assessment supporting document by Ensafe Consultants, dated 28th September 2022 and titled "Noise Impact Assessment for Grissan Engineering Services Ltd At Portgordon (West). Document reference N 80109-1R1".

Reason: In order that noise from the development is controlled so as not to cause noise nuisance to local residents.

8. No development shall commence until a Community Wealth Building Plan has been submitted to and approved in writing by the Council as Planning Authority. This plan shall include measures, targets and monitoring for the following areas as appropriate;
 - (a) improving community resilience, reducing inequalities and maximising local job creation;
 - (b) increasing spending within communities and ensuring the maximum use of local supply chains and services;
 - (c) creation of new firms; and
 - (d) enabling community ownership of buildings and infrastructure.

The measures and monitoring shall thereafter be implemented in accordance with the plan unless otherwise agreed in writing with the Council, as Planning Authority.

Reason: To support a new strategic approach to economic development that helps to build a wellbeing economy in accordance with National Planning Framework 4 Policy 25 - Community Wealth Building.

9. All planting and siting of bat and bird boxes as shown on the approved landscaping plan (submitted 1/9/23 drawing number 149101/8001) shall be undertaken in the first planting season following completion/occupation of the development. Any plants which, within a period of five years from the completion/occupation of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediately following planting season with others of a similar size and species.

Reason: In order to ensure an acceptable level of planting in the interests of the overall appearance and biodiversity levels within the site.

10. Prior to development commencing, all tree protection measures as detailed in the Tree Report by Forres Tree Services submitted in support of this planning application shall be put in place and the development shall be carried out in accordance with the good practice guidance contained within the Tree Report.

Reason: To protect the root systems of the trees which bound the site to the south.

11. All surface water drainage provision within the development shall be implemented in accordance with the details contained in the 'Drainage Impact Assessment, by Fairhursts, dated August 2023, document number 149101-DA-01_Rev 2 submitted in support of this proposal. The development hereby approved shall not be brought into use until it is connected to the approved drainage arrangements.

Reason: To ensure surface water from the house is disposed of in a sustainable manner.

12. The development shall be carried out in accordance with the mitigation measures contained within the Preliminary ecology appraisal survey report dated 28 August 2023, Ref: WTTPEA23-07, submitted in support of this planning application.

Reason: To ensure the development is carried out as sensitively as possible to minimise impact on the surrounding natural environment.

13. Prior to the development commencing details of the operational site lighting shall be submitted to and agreed in writing by the Planning Authority, in consultation with the Environmental Health Manager. Thereafter, the agreed lighting details shall be maintained throughout the lifetime of the development.

Reason: To protect residents from light nuisance due to the use of the development.

14. A construction phase surface water management plan shall be submitted a minimum of two months prior to the commencement of the development and shall be agreed in writing prior to work commencing with the Planning Authority in consultation with Moray Flood Risk Management. The plan shall include measures to prevent increased flood risk and to ensure heavily silted surface water does not enter any watercourse.

Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To prevent surface water flooding during the course of the development and minimise risk to adjacent watercourses.

Reason(s) for Decision

The Council's reason(s) for making this decision are:-

The proposal accords with the provisions of the development plan and there are no material considerations that indicate otherwise. The development is in keeping with and does not expand the existing complex of buildings and structures at Portgordon to an unacceptable level, sitting within lower land and a discrete location. The benefits in terms carbon savings and use of spend distillery bi-product support various aims within National Planning Framework 4 and Moray Local Development 2020.

List of Informatives:

THE DEVELOPMENT MANAGEMENT & BUILDING STANDARDS MANAGER has commented that:-

A Building Warrant will be required for the proposals. Should you require further assistance please contact the Building Standards Duty Officer between 2pm and 4pm or telephone on 03001234561. No appointment is necessary. Alternatively e-mail buildingstandards@moray.gov.uk.

THE TRANSPORTATION MANAGER has commented that:-

Before commencing development, the applicant is obliged to apply for permission to modify the existing public road, in accordance with Section 56 of the Roads (Scotland) Act. The applicant will be required to provide technical information, including drawings and drainage calculations, a programme for the proposed works. Advice on the application process can be obtained by emailing transport.develop@moray.gov.uk.

Construction Consent shall include a CCTV survey of all existing roads drainage to be adopted and core samples to determine the construction depths and materials of the existing road. The requirement for a Road Safety Audit for the modifications to the existing public road will be determined through the Roads Construction Consent process or subsequent to the road construction prior to any road adoption.

Planning consent does not carry with it the right to carry out works within the public road boundary and the applicant is obliged to contact the Transportation Manager for road opening permit in accordance with the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road.

If required, street furniture which needs to be repositioned will be at the expense of the developer. In addition any existing roadside ditch may require a pipe or culvert. Advice on these matters can be obtained by e-mailing transport.develop@moray.gov.uk.

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

The applicant shall ensure that their operations do not adversely affect any Public Utilities, which should be contacted prior to commencement of operations.

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

The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the Roads Authority prior to work commencing on it.

THE REGIONAL ARCHAEOLOGIST, has commented that:-

Works by archaeological organisation

Any archaeological survey, watching brief or archaeological works required by a condition attached to this planning permission must be undertaken by a suitably qualified archaeological organisation.

Written Scheme of Investigation (WSI)

A written specification produced by the appointed Chartered Institute for Archaeologists (CIfA) member archaeological contractor on behalf of the applicant which outlines in detail the proposed scheme of archaeological investigation. It

should detail what archaeological works will be carried out and how; how any encountered archaeological remains will be dealt with; how any updates to the WSI will be provided; the reporting process; and the potential for post-excavation requirement. The WSI must be submitted to the planning authority for approval before being implemented. The contents of the WSI must conform to the relevant national and ClfA standards and guidance.

THE ENVIRONMENTAL HEALTH MANAGER, DEVELOPMENT SERVICES, has commented that:-

All digestates, liquid and solid, from the site shall be produced and certified to 'PAS 110: Specification for whole digestate, separated liquor and separated fibre derived from the anaerobic digestion of source-segregated biodegradable materials.'

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT		
Reference No.	Version No.	Title/Description
149101/0001	E	Proposed overall site plan
149101/0050		Gas upgrader general arrangement
149101/0051		Gas flare general arrangement
149101/0052		Grid entry general arrangement
149101/0101		Location plan
149101/0102		Proposed site plan
149101/0104		Site sections
149101/0105		Building elevations
149101/8001		Landscaping Plan
149101/6000		Flooding and Drainage

Information to accompany decision:

Drainage Impact Assessment, by Fairhursts, dated February 2023, document number 149101-DA-01.

Tree Report by Forres Tree Services submitted in support of this planning application.

Preliminary ecology appraisal survey report dated 28 August 2023, Ref: WTTPEA23-07.

23/00894/APP
6th June 2023

Construction and operation of an aerobic digestion facility and energy centre with associated works Land Approximately 200 Metres To The West Of The Portgordon Maltings Buckie Moray for Grissan Engineering Services Ltd

Comments:

- A site visit will have been carried out.
- This application is being considered in conjunction with planning applications 23/00892/APP & 23/00895/APP, whereby together the cumulative impact is of a scale similar to a major planning application.
- Advertised for neighbour notification purposes – notification not possible because no premises are situated on land to which notification can be sent.
- Advertised as a development of a Class specified in Schedule 3 of the Development Management Regulations 2013.
- No representations have been received.

Procedure:

- None.

Recommendation

Grant Planning Permission – Subject to the following:

Conditions/Reasons

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. Prior to the commencement of any part of the development details (scaled plans 1:500 min) shall be submitted for approval in writing by the Planning Authority in consultation with the Roads Authority for the provision of bend widening on the A990 at Bin View Terrace including any associated works necessary to modify road drainage, kerbing, services, signing and lining and repositioning of existing

bus stop infrastructure associated with this. The road profile shall be modified to correct the camber for the new centreline and the full width of the road shall be resurfaced over the extent of the road widening. Thereafter the works shall be completed in accordance with the approved details prior to the completion of the development or the development becoming operational (whichever is soonest).

Reason: To ensure an acceptable infrastructure is provided on the route to/from the development in the interests of road safety.

3. No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority. The Construction Traffic Management Plan shall include the following information:
 - a) duration of works;
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 - i) parking provision, loading and unloading areas for construction traffic.

Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure an acceptable form of development in terms of the arrangements to manage traffic during construction works at the site.

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Reason: To safeguard and record the archaeological potential of the area. The above should be undertaken initially as a trial trenching evaluation of 7-10% of the

total proposed development site, to be carried out by a suitably qualified archaeological contractor.

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Reason: In order that environmental emissions are considered and managed at the construction phase, in order to protect local residents.

7. The rating level of noise associated with the development on its own and/or in combination with the development 23/00892/APP and 23/00895/APP, shall not exceed the background sound level at the nearest noise sensitive dwelling which is lawfully existing or has planning permission at the date of this permission. The background sound level for the daytime (0700 to 2300 hours) and night-time hours (2300 to 0700 hours) associated with this consent has been identified within table 7 of the approved Noise Impact Assessment supporting document by Dice Environmental Acoustics, dated 31st July 2023 Ref:101072-R01, Version 1 and titled "Grissan, Portgordon Noise Impact Assessment".

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Reason: To support a new strategic approach to economic development that helps to build a wellbeing economy in accordance with National Planning Framework 4 Policy 25 - Community Wealth Building.

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(Scotland) Act. The applicant will be required to provide technical information, including drawings and drainage calculations, a programme for the proposed works. Advice on the application process can be obtained by emailing transport.develop@moray.gov.uk.

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before being implemented. The contents of the WSI must conform to the relevant national and ClfA standards and guidance.

THE ENVIRONMENTAL HEALTH MANAGER, DEVELOPMENT SERVICES, has commented that:-

All digestates, liquid and solid, from the site shall be produced and certified to 'PAS 110: Specification for whole digestate, separated liquor and separated fibre derived from the anaerobic digestion of source-segregated biodegradable materials'.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT		
Reference No.	Version No.	Title/Description
149101/0201		Location plan
149101/0050		Gas upgrader details
149101/0052		Grid Entry Unit
149101/0202		Proposed site plan
149101/0204		Site sections
149101/0001	E	Proposed overall site plan
149101/6000		Flooding and Drainage
149101/8001		Landscaping Plan

Information to accompany decision:

Drainage Impact Assessment, by Fairhursts, dated February 2023, document number 149101-DA-01

Tree Report by Forres Tree Services submitted in support of this planning application.

Preliminary ecology appraisal survey report dated 28 August 2023, Ref: WTTPEA23-07

23/00895/APP
6th June 2023

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Comments:

- A site visit will have been carried out.
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- Advertised for neighbour notification purposes – notification not possible because no premises are situated on land to which notification can be sent.
- Advertised as a development of a Class specified in Schedule 3 of the Development Management Regulations 2013.
- No representations have been received.

Procedure:

- None.

Recommendation

Grant Planning Permission – Subject to the following:

Conditions/Reasons

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. Prior to the commencement of any part of the development details (scaled plans 1:500 min) shall be submitted for approval in writing by the Planning Authority in consultation with the Roads Authority for the provision of bend widening on the A990 at Bin View Terrace including any associated works necessary to modify

road drainage, kerbing, services, signing and lining and repositioning of existing bus stop infrastructure associated with this. The road profile shall be modified to correct the camber for the new centreline and the full width of the road shall be resurfaced over the extent of the road widening. Thereafter the works shall be completed in accordance with the approved details prior to the completion of the development or the development becoming operational (whichever is soonest).

Reason: To ensure an acceptable infrastructure is provided on the route to/from the development in the interests of road safety.

3. No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority. The Construction Traffic Management Plan shall include the following information:
 - a) duration of works;
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 - c) details for any Abnormal Indivisible Loads (AIL's) including route assessments;
 - d) details for the removal/disposal of any bulk material from site including volume, type, destination and route;
 - e) anticipated schedule for delivery of materials and plant;
 - f) full details of any temporary construction access;
 - g) measures to be put in place to prevent material being deposited on the public road;
 - h) traffic management measures to be put in place during works including any specific instructions to drivers; and
 - i) parking provision, loading and unloading areas for construction traffic.

Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure an acceptable form of development in terms of the arrangements to manage traffic during construction works at the site.

4. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area. The above should be undertaken initially as a trial trenching evaluation of 7-10% of the total proposed development site, to be carried out by a suitably qualified archaeological contractor.

5. Construction works (including vehicle movements) associated with the development audible at any point on the boundary of any noise sensitive dwelling shall be permitted between 0800 - 1900 hours, Monday to Friday and 0800 - 1300 hours on Saturdays only, and at no other times out with these permitted hours (including National Holidays). The above construction hours shall apply, unless otherwise agreed in writing with the Planning Authority, and where so demonstrated exceptional operational constraints require limited periods of construction works to be undertaken out with the permitted construction hours.

Reason: To protect local residents from noise nuisance in ensuring the construction phase is restricted within permitted hours.

6. No development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Planning Authority in consultation with the Environmental Health Manager. The plan shall include measures to minimise construction related noise (including vibration), dust and artificial lighting.

Thereafter, the development will be carried out in accordance with the agreed plan.

Reason: In order that environmental emissions are considered and managed at the construction phase, in order to protect local residents.

7. The rating level of noise associated with the development on its own and/or in combination with the development 23/00892/APP and 23/00894/APP, shall not exceed the background sound level at the nearest noise sensitive dwelling which is lawfully existing or has planning permission at the date of this permission. The background sound level for the daytime (0700 to 2300 hours) and night-time hours (2300 to 0700 hours) associated with this consent has been identified within table 7 of the approved Noise Impact Assessment supporting document by Dice Environmental Acoustics, dated 31st July 2023 Ref:101072-R01, Version 1 and titled "Grissan, Portgordon Noise Impact Assessment".

For the avoidance of doubt, the rating level and background sound level associated with this condition are defined within BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound. The receptor locations for the background sound levels (stated as R1 to R4 in the above document) are identified in Section 1.2 of the Noise Impact Assessment supporting document by Ensafe Consultants, dated 28th September 2022 and titled "Noise Impact Assessment for Grissan Engineering Services Ltd At Portgordon (West). Document reference N 80109-1R1".

Reason: In order that noise from the development is controlled so as not to cause noise nuisance to local residents.

8. No development shall commence until a Community Wealth Building Plan has been submitted to and approved in writing by the Council as Planning Authority. This plan shall include measures, targets and monitoring for the following areas as appropriate;
 - (a) improving community resilience, reducing inequalities and maximising local job creation;
 - (b) increasing spending within communities and ensuring the maximum use of local supply chains and services;
 - (c) creation of new firms; and
 - (d) enabling community ownership of buildings and infrastructure.

The measures and monitoring shall thereafter be implemented in accordance with the plan unless otherwise agreed in writing with the Council, as Planning Authority.

Reason: To support a new strategic approach to economic development that helps to build a wellbeing economy in accordance with National Planning Framework 4 Policy 25 - Community Wealth Building.

9. All planting and siting of bat and bird boxes as shown on the approved landscaping plan (submitted 1/9/23 drawing number 149101/8001) shall be undertaken in the first planting season following completion/occupation of the development. Any plants which, within a period of five years from the completion/occupation of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediately following planting season with others of a similar size and species.

Reason: In order to ensure an acceptable level of planting in the interests of the overall appearance and biodiversity levels within the site.

10. Prior to development commencing, all tree protection measures as detailed in the Tree Report by Forres Tree Services submitted in support of this planning application shall be put in place and the development shall be carried out in accordance with the good practice guidance contained within the Tree Report.

Reason: To protect the root systems of the trees which bound the site to the south.

11. All surface water drainage provision within the development shall be implemented in accordance with the details contained in the 'Drainage Impact Assessment, by Fairhursts, dated August 2023, document number 149101-DA-01_Rev2. submitted in support of this proposal. The development hereby approved shall not be brought into use until it is connected to the approved drainage arrangements.

Reason: To ensure surface water from the house is disposed of in a sustainable manner.

12. The development shall be carried out in accordance with the mitigation measures contained within the Preliminary ecology appraisal survey report dated 28 August 2023, Ref: WTTPEA23-07, submitted in support of this planning application.

Reason: To ensure the development is carried out as sensitively as possible to minimise impact on the surrounding natural environment.

13. Prior to the development commencing details of the operational site lighting shall be submitted to and agreed in writing by the Planning Authority, in consultation with the Environmental Health Manager. Thereafter, the agreed lighting details shall be maintained throughout the lifetime of the development.

Reason: To protect residents from light nuisance due to the use of the development.

14. A construction phase surface water management plan shall be submitted a minimum of two months prior to the commencement of the development and shall be agreed in writing prior to work commencing with the Planning Authority in consultation with Moray Flood Risk Management. The plan shall include measures to prevent increased flood risk and to ensure heavily silted surface water does not enter any watercourse.

Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To prevent surface water flooding during the course of the development and minimise risk to adjacent watercourses.

Reason(s) for Decision

The Council's reason(s) for making this decision are:-

The proposal accords with the provisions of the development plan and there are no material considerations that indicate otherwise. The development is in keeping with and does not expand the existing complex of buildings and structures at Portgordon to an unacceptable level, sitting within lower land and a discrete location. The benefits in terms carbon savings and use of spend distillery bi-product support various aims within National Planning Framework 4 and Moray Local Development 2020.

List of Informatives:

THE DEVELOPMENT MANAGEMENT & BUILDING STANDARDS MANAGER has commented that:-

A Building Warrant will be required for the proposals. Should you require further assistance please contact the Building Standards Duty Officer between 2pm and 4pm or telephone on 03001234561. No appointment is necessary. Alternatively e-mail buildingstandards@moray.gov.uk.

THE TRANSPORTATION MANAGER has commented that:-

Before commencing development the applicant is obliged to apply for permission to modify the existing public road, in accordance with Section 56 of the Roads

(Scotland) Act. The applicant will be required to provide technical information, including drawings and drainage calculations, a programme for the proposed works. Advice on the application process can be obtained by emailing transport.develop@moray.gov.uk.

Construction Consent shall include a CCTV survey of all existing roads drainage to be adopted and core samples to determine the construction depths and materials of the existing road. The requirement for a Road Safety Audit for the modifications to the existing public road will be determined through the Roads Construction Consent process or subsequent to the road construction prior to any road adoption.

Planning consent does not carry with it the right to carry out works within the public road boundary and the applicant is obliged to contact the Transportation Manager for road opening permit in accordance with the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road.

If required, street furniture which needs to be repositioned will be at the expense of the developer. In addition any existing roadside ditch may require a pipe or culvert. Advice on these matters can be obtained by e-mailing transport.develop@moray.gov.uk.

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

The applicant shall ensure that their operations do not adversely affect any Public Utilities, which should be contacted prior to commencement of operations.

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

The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the Roads Authority prior to work commencing on it.

THE REGIONAL ARCHAEOLOGIST, has commented that:-

Works by archaeological organisation

Any archaeological survey, watching brief or archaeological works required by a condition attached to this planning permission must be undertaken by a suitably qualified archaeological organisation.

Written Scheme of Investigation (WSI)

A written specification produced by the appointed Chartered Institute for Archaeologists (CIfA) member archaeological contractor on behalf of the applicant which outlines in detail the proposed scheme of archaeological investigation. It should detail what archaeological works will be carried out and how; how any encountered archaeological remains will be dealt with; how any updates to the WSI will be provided; the reporting process; and the potential for post-excavation requirement. The WSI must be submitted to the planning authority for approval

before being implemented. The contents of the WSI must conform to the relevant national and ClfA standards and guidance.

THE ENVIRONMENTAL HEALTH MANAGER, DEVELOPMENT SERVICES, has commented that:-

All digestates, liquid and solid, from the site shall be produced and certified to 'PAS 110: Specification for whole digestate, separated liquor and separated fibre derived from the anaerobic digestion of source-segregated biodegradable materials.'

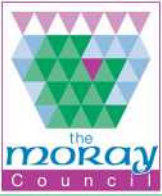
LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT		
Reference No.	Version No.	Title/Description
149101/0301		Location plan
149101/0050		Gas upgrader general arrangements
149101/0052		Grid entry unit general arrangement
149101/0302		Proposed site plan
149101/0304		Site sections
149101/0001	E	Proposed overall site plan
149101/6000		Flooding and Drainage
149101/8001		Landscaping Plan

Information to accompany decision:

Drainage Impact Assessment, by Fairhursts, dated February 2023, document number 149101-DA-01.

Tree Report by Forres Tree Services submitted in support of this planning application.

Preliminary ecology appraisal survey report dated 28 August 2023, Ref: WTTPEA23-07.



PLANNING APPLICATION COMMITTEE SITE PLAN

Planning Application Ref Number:

23/00892/APP 23/00894/APP & 23/00895/APP

Site Address:

**Land To The West Of Portgordon Maltings
Buckie**

Applicant Name:

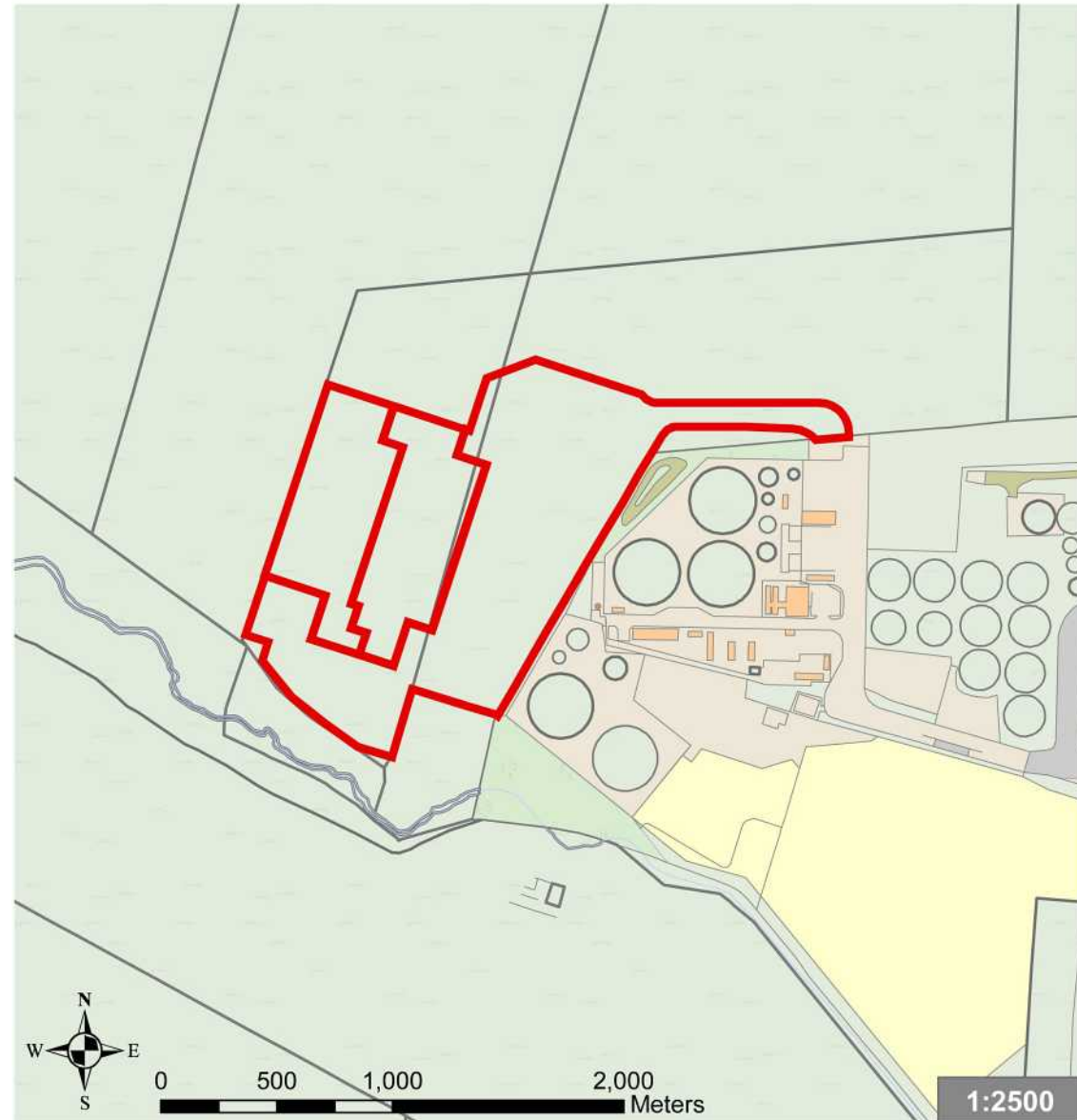
Grissan Engineering Services Ltd

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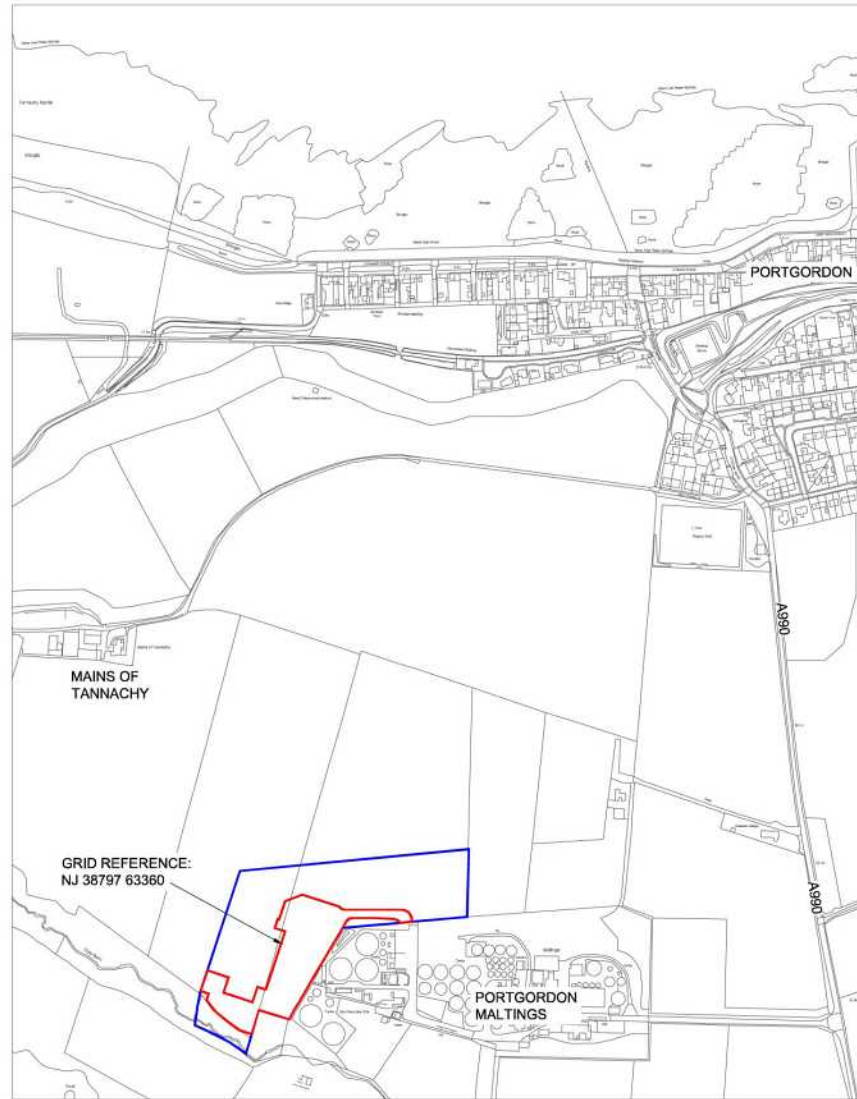
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Location Plan



23/00892/APP—Location Plan

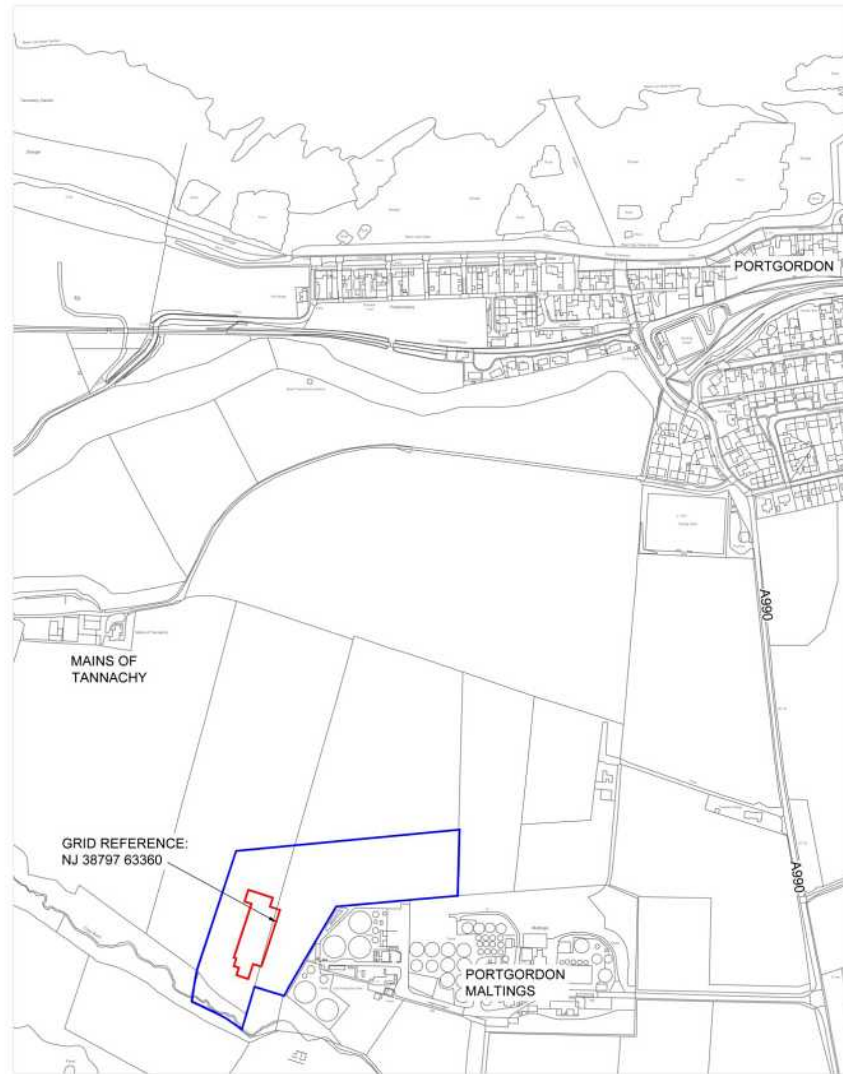


SITE LOCATION PLAN
SCALE 1:5,000

23/00892/APP—Site Plan



23/00894/APP—Location Plan



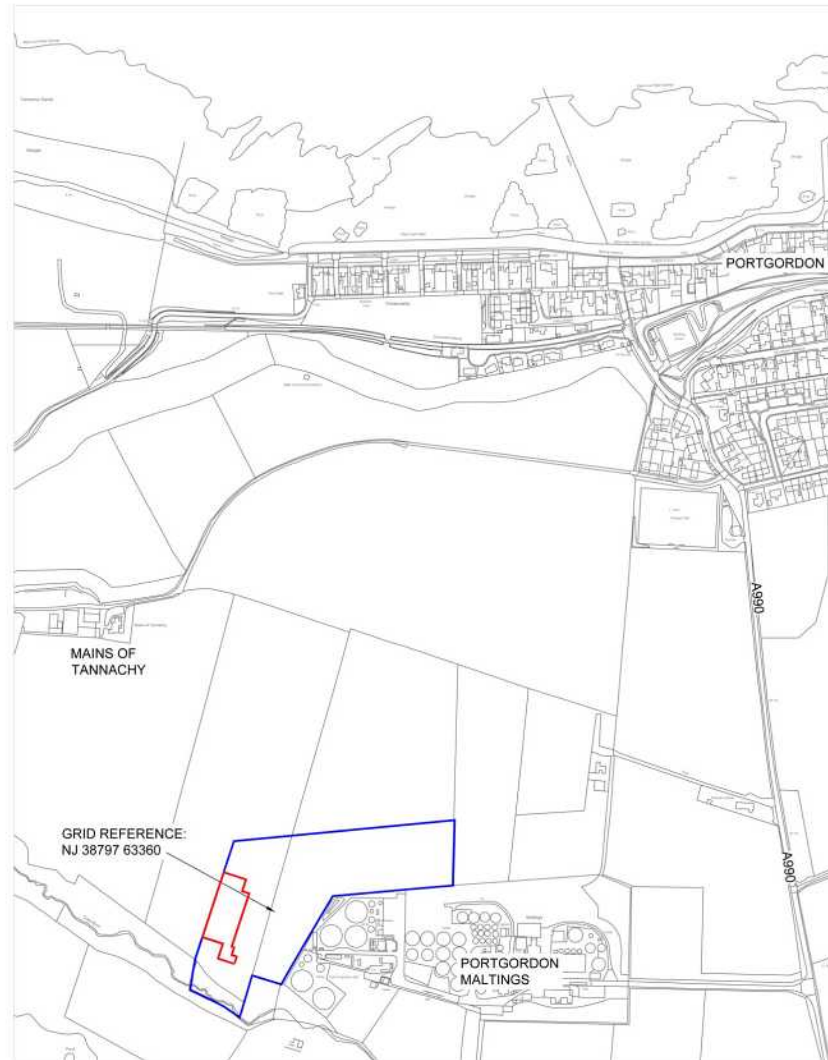
SITE LOCATION PLAN
SCALE 1:5,000

23/00894/APP—Site Plan



PROPOSED SITE PLAN
SCALE 1:500

23/00895/APP—Location Plan



SITE LOCATION PLAN
SCALE 1:5,000

23/00895/APP—Site Plan



PROPOSED SITE PLAN
SCALE 1:500

Photo Location plan

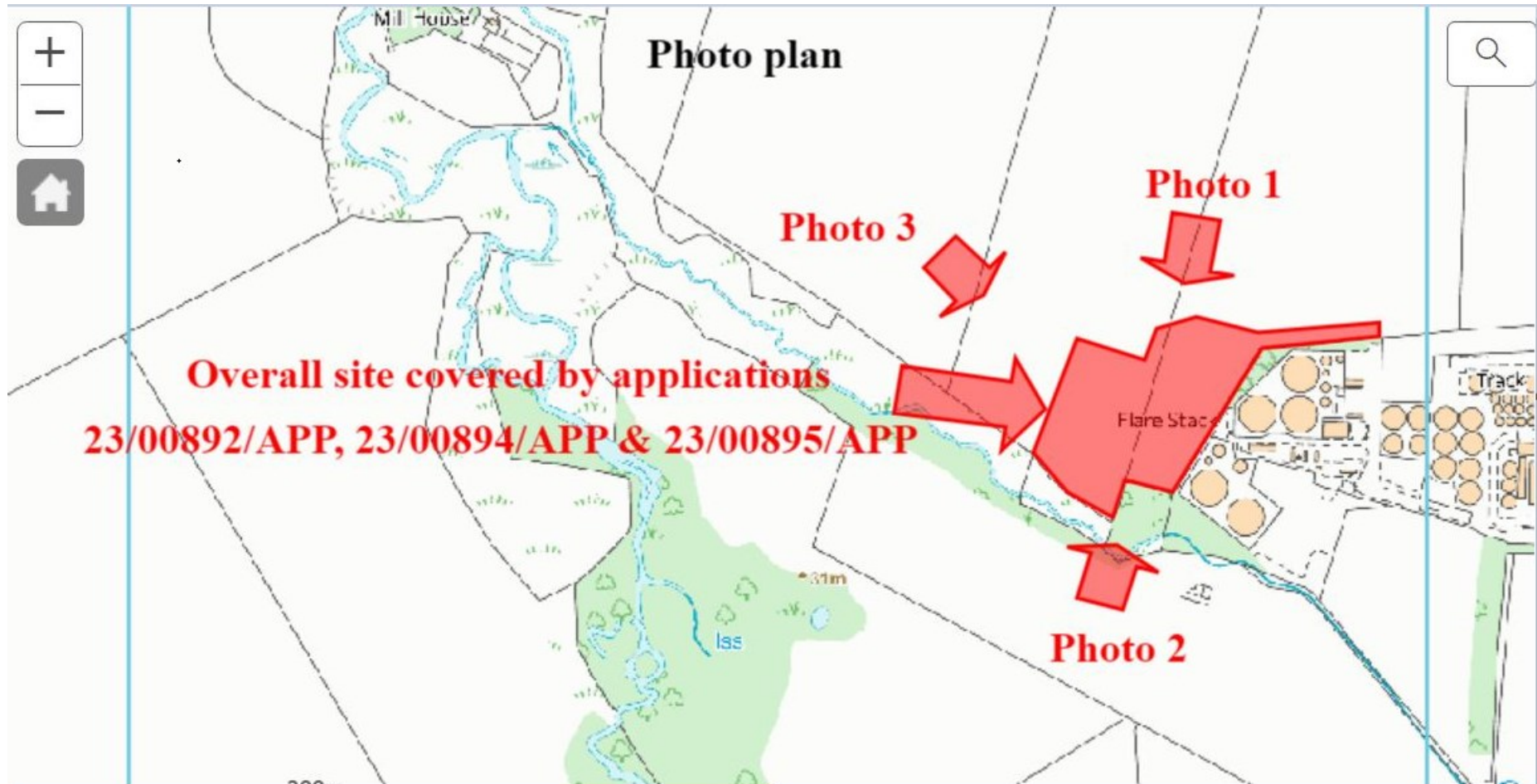


Photo 1



Photo 2



Photo 3



Photomontage — View South from A990 at Portgordon



Photomontage — View South from A990 at Parkside Cottage



**PLANNING APPLICATION: 23/00892/APP,
23/00894/APP & 23/00895/APP**

In the event that a recommendation on this planning application is overturned the Committee is reminded of the advice contained on the front page of the agenda for Reports on Applications

1. THE PROPOSAL

- This proposal is for the extension of an existing anaerobic digestion (AD) plant which lies adjacent to Crisp Maltings at Portgordon. The applicants have advised that the development proposal has been divided into three separate planning applications to comply with and benefit from the Scottish Governments Green Gas Support Scheme Regulations 2021. Given that the three applications are directly adjacent to one and other and effectively form three phases of one larger extension to the existing AD plant, the cumulative impact of the development has been assessed as a whole. This report covers all three planning applications but with three separate recommendations.
- As a whole the development consists of the siting of six 32m diameter digester tanks measuring 16.9m in height, four smaller ancillary tanks, two measuring 12m in diameter and 14m in height and two at 8.5m in diameter and 6m in height. All the tanks are located within the proposed containment bund, which consists of a 2.5m high concrete wall. The proposals also include, two draft bunkers for the delivery of draft into the digesters, two adjacent draft silos, measuring 5m in diameter by 11.5m in height, a control building measuring 19.6m by 10.4m by 4.6m high for employees to monitor the plant, a 10m tall flare, gas upgraders/entry units, which resemble steel storage containers and are generally no more than 3m in height, and underground propane tank, site access turning and parking for cars and Heavy Goods Vehicles (HGV)s, drainage swale and SUDs basin and landscaping. All of the tanks, buildings and plant are to be finished in dark green to match the existing plant.
- For clarity, application 23/00892/APP relates to much of the infrastructure such as control building, draff silos, gas upgrader, flare, drainage swale and two of the larger digester tanks. 23/00894/APP relates to two other larger digester tanks, gas upgrader and grid entry unit. 23/00895/APP – hosts the final two large digester tanks, a gas upgrader and grid entry unit.
- An extensive amount of supporting information has been submitted in support of the proposals which in brief summary outlines that the proposal is intended to compliment and run in the same manner as the existing AD plant, which takes in distillery by-product (either draff, spent lees, pot ale or pot ale syrup) from Speyside Distilleries, processes this in the digesters to produce bio methane, which is then injected back into the national gas grid via the injector on site. Any waste from this process is then sold as fertiliser or discharged via the existing sea outfall which is monitored by SEPA.

- On their existing site the applicants also have a biogas fuelling point which fuels HGVs which run on the biogas produced on site. The applicant has outlined that it is their intension to operate all HGVs serving the site on biogas, however, to date, due to supply chain issues with biogas HGVs it has only been possible to obtain 26 HGVs. This should increase significantly to approx. 300 HGVs by 2028. In addition, the applicants also have a combined heat and power unit on their existing site, which can convert the biogas to heat and electricity, where the heat is used in the digestion process and electricity is used to run the plant and can also be exported to the national grid. In terms of scale of production, the proposed development will produce up to 12MW of renewable energy, which is equivalent to powering approximately 18000 homes.
- The applicants have provided a Preliminary Ecological Survey, Carbon Impact Assessment, Tree Survey, Noise Impact Assessment, Landscape and Visual Appraisal, Odour Assessment, Air Quality Assessment, Community Wealth Building Plan, Transport Statement, Drainage Assessment, Flood Risk Assessment and Planning Statement in support of the proposals.

2. THE SITE

- The site as a whole covers an area of land just under 2 hectares and consists of agricultural grazing land, which lies immediately to the west of the existing grouping of industrial operations, including the existing AD plant, Crisp Maltings and maturation warehousing which is presently under construction. To the south of the site lies a small belt of woodland which surrounds the Core Burn. To the west and north of the site is open farmland.
- Access to the site is proposed via the main access which serves the adjacent maltings, maturations warehousing and AD plant and will be taken through the existing AD plant site.
- The site is not covered by any specific designation within Moray Local Development Plan, nor does it lie within any national or local environmental designation and is not classified as prime agricultural land. According to the SEPA flood maps the southern portion of the site is subject to flood risk from the Core Burn.
- The nearest residential properties lie 370m to the northwest at Mains of Tannachy, 440m to the north east at Parkside Cottage and 465m to the south at Windsoer.

3. HISTORY

22/01321/SCN – Environmental impact assessment screening opinion issued confirming that this proposal does not constitute EIA development.

There is no further planning history in relation to the proposed site, however, the following is a summary of the recent planning history for land adjacent to the site.

16/00353/APP - Erection of anaerobic digestion facility granted planning permission on 26 May 2016.

17/01536/APP - Erection of anaerobic digestion facility (extension to that granted via 16/00353/APP) granted planning permission on 14 December 2017.

20/00247/APP - Construction of four anaerobic digestion tanks, three feedstock tanks and associated infrastructure granted planning permission on 4 December 2020.

21/01605/APP - Application to Phase the development of the Coreside Anaerobic Digestion (AD) facility to demarcate the consented AD site into 2 phases with the addition of additional biomethane processing infrastructure granted planning permission on 2 December 2021.

22/01085/APP - Amend site layout as approved under reference 20/00247/APP at Phase 1 Coreside anaerobic digestion facility granted planning permission on 21 December 2022.

22/01086/APP - Amend site layout approved under ref 21/01605/APP granted planning permission on 20 December 2022.

22/01269/APP - Erect storage warehouses and ancillary development (amenity block sprinkler tank and pump house) land engineering (cut and fill), realignment of Core Burn and associated engineering and infrastructure works including access and sub-station granted planning permission on 20 December 2022.

22/01401/HAZ - Hazardous Substance Consent in relation to adjacent existing anaerobic digestion facility approved 29 November 2023.

23/01441/HAZ - Hazardous Substance Consent in relation to adjacent maturation warehousing approved 1 February 2024.

4. POLICIES

National Planning Framework 4

NPF1 - Tackling the climate and nature crises

NPF2 - Climate mitigation and adaptation

NPF3 - Biodiversity

NPF4 - Natural places

NPF5 - Soils

NPF6 - Forestry, woodland and trees

NPF7 - Historic assets and places

NPF11 - Energy

NPF12 - Zero waste
NPF13 - Sustainable transport
NPF14 - Design, quality and place
NPF18 - Infrastructure first
NPF22 - Flood risk and water management
NPF23 - Health and safety
NPF25 - Community wealth building
NPF26 - Business and industry

Moray Local Development Plan 2020

PP2 Sustainable Economic Growth
PP3 Infrastructure and Services
DP1 Development Principles
DP9 Renewable Energy
EP1 Natural Heritage Designation
EP2 Biodiversity
EP7 Forestry Woodland and Trees
EP8 Historic Environment
EP12 Management and Enhancement of the Water Environment
EP14 Pollution Contamination Hazards

5. ADVERTISEMENTS

- 5.1 Advertised for neighbour notification purposes and as a development of a Class specified in Schedule 3 of the Development Management Regulations 2013.

6. CONSULTATIONS

Contaminated Land – No objections.

Scottish Water – No objections.

Transportation Manager – No objection subject to conditions and informatives being attached to the consent. The conditions relate to the widening of the A990 at Bin View Terrace, leading down from the junction with the A98 and require a construction traffic management plan.

Archaeology – No objections, subject to condition relating to archaeological investigation and recording of any finds. Archaeological investigation is ongoing on the site at present.

SEPA – No objections in relation to flood risk following a review of the flood risk assessment submitted in support of the application. Also confirmed that the proposed bund is considered to be appropriate for spillage containment and the existing AD plant is a lower tier COMAH establishment where HSE & SEPA are the joint Competent Authority.

Moray Flood Risk Management – No objections subject to condition relating to adherence with the submitted Drainage Impact Assessment.

Environmental Health – No objections subject to conditions relating to constructions activity, operating hours, site lighting, construction environmental management plan and operational noise limits.

Health and Safety Executive – No objections.

Strategic Planning & Delivery – Comments provided in relation to development plan policy on Climate change, Renewable energy, environment, economy and infrastructure.

7. OBJECTIONS-REPRESENTATIONS

None received.

8. OBSERVATIONS

- 8.1 Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan i.e. National Planning Framework 4 (NPF) and the adopted Moral Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.
- 8.2 The main planning issues are considered below:
- 8.3 **Environmental Impact Assessment**
The applicants sought a screening opinion (22/01321/SCN) prior to the submission of these planning applications, which concluded that the proposal constitutes Schedule 2 development in relation to the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. Taking into account the characteristics of the development including its nature and scale, the location of the development, and the characteristics of its likely potential impact, the proposal is considered unlikely to result in significant (and complex) environmental effects and the proposal is not an EIA development.
- 8.4 **Principle of the development (NPF4 – 1, 2, 11, 26 MLDP- PP2, DP9)**
Development plan policies strongly encourage proposals that involve the production of green energy and the creation of circular economies. Policies also allow for the extension of existing rural businesses, subject to ensuring the proposal does not result in unacceptable visual impact, harm the environment or neighbouring amenity levels and can be adequately served in terms of infrastructure. All of these aspects are discussed further below.
- 8.5 In this case the proposed development will result in the production of significant quantities of green energy from the processing of distillery by-product, with the spent digestate being used as fertiliser to grow crops to thereafter be used in the distilling industry completing the distilling circular economy. The extending of the existing AD operations allows the proposed development to take advantage of existing infrastructure that is already in place. The site is at a key location in the distilling process, where feedstocks can be efficiently obtained and the HGVs which are heavily utilised in the distilling process can be fuelled

whilst visiting the site. Excess gas can also be used in the adjacent CHP plant to help fuel the adjacent maltings with the remainder being used to boost the national gas network, from the high-pressure gas injection point located within the existing AD plant site.

- 8.6 Overall the general principle of the proposal is welcomed, subject to ensuring the key policy aspects outlined below are addressed.
- 8.7 **Climate Change (NPF4 – 1, 2, 11 MLDP- PP2, DP1, DP9)**
Development plan policies aim to encourage, promote and facilitate development that address the global climate and nature crisis and that significant weight will be given to proposal that achieve this.
- 8.8 In this case the applicants have provided a detailed carbon impact assessment, which in very brief, simplified terms identifies that the purpose in of the existing and proposed AD plants is to be a key factor in enabling the distilling sector in Scotland to achieve its net zero aspirations by 2040. The existing AD plant offsets approximately 200,000 tonnes of CO2 emissions per year, which will increase should this proposal gain consent. In terms of embodied carbon associated with the construction of the proposed project, the calculations provided detail that this will equate to around 2100 tonnes to establish this development, which when compared to the operation of the existing and proposed AD plant would take the equivalent of 5-7 days to off-set. This is a very short pay back period and highlights the significant contributions of the existing and proposed plant in tackling climate change.
- 8.9 In terms of the overall efficiency of the proposed plant, there are several fundamental aspects of this site and the operation of the plant which contribute towards the high efficiency and green credentials. The location of the plant is ideal for efficient delivery of distillery by-product from distilleries throughout Moray, which minimises distances travelled by HGVs in the overall process. For the avoidance of doubt, confidential information has been by the applicants which indicates the distilleries which provide by-product to the site and this give confidence to the carbon calculations provided in support of the proposals. In addition to this, the site has a feed into the high-pressure gas network on the existing site and this avoids the need to transport gas off site with HGVs to injection points elsewhere. The existing site also contains a combined heat and power (CHP) unit, which can convert the gas produced to electricity, which runs the plant and can export to the national electricity grid, but also any waste heat from this process is reused within the digestate heating process ensuring that the CHP unit is efficient as possible. The existing plant also contains a biogas refuelling station for HGVs and with an expanding fleet of biogas trucks now operating for the distilleries, this is another aspect of the existing site which improves efficiency of the overall process. Lastly the site has an existing long sea outfall, which is monitored by SEPA, to ensure that any outfall is within acceptable limits and that material pumped out of the outfall does not need to be exported from the site via HGVs. This results in less use of HGVs in this process.
- 8.10 Whilst the above is a very simplistic summary of the carbon emissions and climate change benefits of this proposal, it is a good indicator of the benefits the proposals can have in addressing climate change. With this in mind the

proposal is considered to be compliant with development plan policy in this regard.

- 8.11 **Design, siting and landscape impact (NPF4 – 1, 2, 11, 14, 26 MLDP- PP2, DP1, DP9)**
In terms of siting, design and potential impact on the character of the area, given the scale of the proposal it will inevitably be visible within the local landscape. The applicants have submitted a landscape and visual appraisal in support of the development which includes visualisations to aid the understanding of the likely visual impact of the proposals. The proposed extension is located to the west of the existing AD plant, Crisp Maltings and Maturation warehousing, which is a relatively low point in the landscape and has the fewest public vistas. In essence the existing industrial development to the east of the site will largely screen the development from the east and taking into account the natural undulation in the landscape and the presence of intervening mature woodland, the proposals will not appear prominent in the landscape from the north, south or west.
- 8.12 Overall the proposal will therefore have minimal visual impact on the character of the surrounding landscape. The proposed flare (one already exists at the existing nearby AD plant) would be 10m high structure and would not be in regular use. For AD plants, such flares are a safety feature and are only used on rare occasions where there is an excessive of pressure gas.
- 8.13 **Protected species, landscaping, biodiversity, soils (NPF4 – 1, 2, 3, 4, 5, 6, 14 11 MLDP- PP2, DP1, DP9, EP1, EP2, EP7)**
NPF 4 Policy 3 Biodiversity states that developments should contribute to the enhancement of biodiversity, and MLDP policy EP2 Biodiversity states that “all development proposals must, where possible, retain, protect and enhance features of biological interest and provide for their appropriate management.” As the site is comprised of worked agricultural land, there is currently limited biodiversity to enhance. Therefore, the planting, green and blue drainage solutions proposed would see an enhancement, albeit where the confines of the site and nature of the development gives limited opportunity for in site biological enhancement.
- 8.14 Set out in the landscaping plan, native hedging is proposed along the northern boundary of the site and surrounding the proposed SUDs and swale area to the south of the site this would consist of a mix of hazel, hawthorn, holly, blackthorn, grey willow, elder, gorse and guelder rose. A coastal meadow mix is proposed in the drier open areas surrounding the SUDs, with a wetland mix proposed within the swale and SUDs areas. Bird and bat boxes are proposed to be located within the existing mature trees adjacent to the SUDs area.
- 8.15 A tree survey and tree protection plan has been carried out in support of the application and also covers the trees which lie outwith the site boundary to the south of the site. This identifies that the development will not have an adverse impact on any healthy trees and proposes protection measures to ensure they are protected throughout the construction process. For the avoidance of doubt the tree survey plan identifies a small number of trees outwith the site boundary which the arboriculturist has confirmed should be removed due to disease or poor condition etc. However, whilst the tree survey advises that they should be

removed as these are outwith the application site the applicant's have confirmed that these will remain. In terms of screening the tree line following the Core Burn running south of the site, provides the necessary enclosure from much of the views from the south.

- 8.16 Bearing in mind this proposal will result in significant carbon emissions savings and will act to combat climate change, the proposals will result in overriding environmental benefits and when coupled with the measures identified above the proposals are considered to be compliant with development plan policy in this regard. The site is not designated as prime agricultural land so would not conflict NPF Policy 5 Soils or local policy EP16 Geodiversity and soils Resources.
- 8.17 **Noise, odour & light pollution (NPF4 – 11, 14, 23 MLDP- DP1, DP9, EP14)**
Development plan policies outline that proposals should not adversely affect surrounding amenity including from noise, odour or light pollution. The applicants have submitted noise, odour and air quality impact assessments to inform this matter.
- 8.18 The Environmental Health Manager has assessed this information and has raised no objection to the grant of permission subject to conditions controlling operating hours, lighting, noise levels, construction work hours and submission of a Construction Environmental Management Plan to control/manage environmental emissions (noise, vibration, dust and artificial lighting) during the construction phase.
- 8.19 Subject to the compliance with above conditions the proposal would accord with development plan policy.
- 8.20 **Drainage and flood risk (NPF4 - 22 MLDP- EP12)**
Development plan policies set out detailed criteria to ensure proposals meet siting, design and servicing requirements including provision of SuDS. This includes requirements for surface water from new development to be dealt with in a sustainable manner that has a neutral effect on the risk of flooding, or which reduces the risk of flooding.
- 8.21 A Drainage Impact Assessment and Flood Risk Assessment has been submitted with the application which details the proposed surface drainage arrangements for the proposed development and outlines that the site is not at risk of flooding, nor will the development exacerbate flood risk elsewhere. The applicants have outlined that they will utilise rainwater harvesting within the bunded area of the site and re-use this captured rain water within the digestion process. Any surface water falling outwith the bunded area will be directed towards the proposed swale and SUDs basin located to the south of the site adjacent to the Core Burn/existing woodland and will act to form a wetland area which should enhance habitat and biodiversity.
- 8.22 In terms of foul drainage the drainage assessment submitted in support of the application details that a small treatment plant will be installed with partial soakaway and attenuated discharge to the Core Burn, all of which is considered acceptable.

- 8.23 Both SEPA and Moray Flood Risk Management have been consulted on the proposals and have raised no objection subject to the conditions as recommended. With this in mind, the proposals are considered compliant with development plan policies.
- 8.24 **Access (NPF4 – 13 MLDP- PP3, DP1)**
Local Development plan policy DP1 requires that proposals must provide a safe entry and exit from the development and conform with current policy on parking standards. Development plan policy requires development to be planned and co-ordinated with infrastructure to ensure that places function properly and proposals are adequately served by infrastructure and services.
- 8.25 A Transport Statement has been submitted in support of the proposals and the Transportation Section has been consulted and raised some concerns regarding the impact of HGV traffic from the proposal on the A990 up to the A98. Following detailed discussions, it has been agreed with the applicants that they will upgrade/widen a portion of the A990 adjacent to Bin view Terrace and a condition has been recommended to this affect as well as a construction traffic management plan to be submitted and agreed in writing prior to construction commencing. Subject to these conditions the Transportation Service has no objection to the application and as such the proposal is considered compliant with development plan policy.
- 8.26 **Historic Environment (NPF4 – 7 MLDP- EP8)**
The proposal is considered to have sufficient separation from any built heritage features within the surrounding landscape to ensure there is no adverse impact in this regard. Following consultation with the Regional Archaeologist, they have confirmed no objection to the approval of the development, subject to a condition being applied to ensure a programme of archaeological works is carried out prior to any development works commencing.
- 8.27 The proposals are therefore considered compliant with development plan policies.
- 8.28 **Zero waste (NPF4 – 12 MLDP- PP3)**
Development plan policy seeks to reduce the waste of materials in construction and requires waste management plans for developments that will generate waste.
- 8.29 In this case the proposed plant is a specifically designed project whereby each aspect of the design is fundamental in the operation of the plant. Following the construction of other similar facilities in the past, the detailed design of the plants has been revised to ensure efficient operation and minimisation of waste. With this in mind, the waste associated with the construction of the proposed plant will be minimal.
- 8.30 In terms of operations waste, the whole ethos of the project is to take a bi-product from the distilling industry to produce fuel. The manner in which this is achieved within the AD plant ensures that all aspects of the energy produced on site is used, for example in the combined heat and power plant, electricity is generated from the burning of the gas, however, where often the heat from the

process is wasted, in this case, the digesters use the heat, ensuring the processes are as efficient as possible and minimise waste.

8.31 The existing and proposed AD plants provide a key link in ensuring the distilling industry can become a circular process minimising waste production and as such the proposal is development plan policy requirements in this regard.

8.32 **Community Wealth Building (NPF4 – 25)**

Development plan policies proposals that contribute to local or regional community wealth building strategies and those that are consistent with local economic priorities. This concept is expanded on further with guidance adopted by this committee on 30 May 2023.

8.33 In this case, the applicants have provided a Community Wealth Building Plan, which outlines that the distilling industry is a key sector of the Moray economy, employing a significant number of local people, both directly and indirectly. The greening of the distilling industry and net zero aims are fundamental to the successful future of the industry. To this end, the existing and proposed plant provide a method of achieving this aim and preserving the future of this key sector of the Moray economy.

8.34 In terms of benefits to the local environment, the AD process avoids direct discharge of distilling by-product to watercourses and direct spreading on fields, however, still results in a nutrient rich by-product, which is used by local farmers to grow crops. In time, once all of the planned bio-methane HGV vehicles are in operation, this will result in a significant reduction in emissions from HGVs around Moray again benefiting the local population.

8.35 Whilst the above provides a quick summary of the overarching community benefits of the proposals, the council guidance seeks a more detailed breakdown of the benefits of proposals.

8.36 To this end the applicants have identified throughout their design and construction processes where they use local businesses, contractors and materials where possible. In terms of the operation of the proposed plant there will be 4 full time equivalent posts created along with maintenance and repair contracts for local businesses where required on an ongoing basis. In addition to this the applicants also engage with local schools providing presentations on the science and engineering surrounding the AD process. Both the applicants and their parent company William Grant and Sons offer graduate development programs as part of our operations and project engineering staff recruitment plans.

8.37 Following consideration from the Community Wealth Building officer, the proposed plan is considered to be a good start, however, further detail is needed on apprenticeships, skills development opportunities, supporting communities that are impacted by the development, experteering/mentoring to community groups. Considering Community Wealth Building is a relatively new field in planning and its integration with the proposed AD plant extension is difficult to fully cover at this early stage in the project, it is recommended that a condition be applied to the consent to ensure these aspects can be fully expanded upon and agreed prior to the development commencing. Subject to

this condition as recommended the proposal is considered to be compliant with development plan policy.

Conclusion

Overall the proposed extensions to the existing AD plant are considered to result in an acceptable level of impact on the character, appearance and amenity of the surrounding countryside, whilst making significant contributions toward minimising carbon emissions, greening the distilling industry and combating climate change and as such the proposal is recommended for approval.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are: -

The proposal accords with the provisions of the development plan and there are no material considerations that indicate otherwise. The development is in keeping with and does not expand the existing complex of buildings and structures at Portgordon to an unacceptable level, sitting within lower land and a discrete location. The benefits in terms carbon savings and use of spend distillery bi-product support various aims within National Planning Framework 4 and Moray Local Development 2020.

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