



REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 1 MARCH 2022

SUBJECT: 22/00057/PAN – NEW MATURATION WAREHOUSING (21NO 3-CELL WAREHOUSES), FILLING STORE AND DISGORGING UNIT (FSDU), WETLANDS, SUDS PONDS, TREE NURSERY AND ASSOCIATED ROADS AND SERVICES ON LAND WEST OF GLENROTHES DISTILLERY, BURNSIDE STREET, ROTHES, MORAY

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 14 January 2022 on behalf of The Edrington Group.
- 1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that:

- (i) in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- (ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

3. BACKGROUND

- 3.1 Scottish Government has published guidance which encourages elected members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.
- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 As described, this PAN relates to a proposal for the development of warehousing, filling store and disgorging unit, wetlands, SuDS ponds, tree nursery and associated roads and services on land to the west of Glenrothes Distillery, Rothes. 21 warehouses are proposed, each comprising 3 cells with a floor area of 6,455 sq metres. New roadways to serve the warehouses are also shown, along with access via the existing Glenrothes Distillery to Burnside Street. Two SuDS ponds for surface water drainage are shown on the site plan provided with this PAN, with areas of wetlands/water features and a tree nursery.
- 3.5 The site is located to the west of Glenrothes Distillery and covers an area of approximately 68.5 hectares. It would take in a yard area to the immediate north of Glenrothes Distillery, the farms of Ardcanny and Brauchhill (both of which are disused), and the surrounding farmland. To the north of the site is Back Burn which runs through Glen Grant, to the south the Burn of Rothes and Rothes Golf Club beyond. To the west of the site is Ardcanny Wood, whilst Rothes lies to the east. The site lies to the west (and outwith) the settlement boundary of Rothes as defined in the Moray Local Development Plan 2020 (MLDP). It also is partly covered by the Spey Valley Special Landscape Area designation in the MLDP. Five entries on the local Sites and Monuments Record are also within the site (Glenrothes Distillery, Minister's Well, Ardcanny Farm, Brauchhill Farm, and Deerstack)
- 3.6 Planning permission is required for this proposal. Relative to the current Hierarchy Regulations the proposal would comprise a major development for planning purposes on the basis it comprises a Business & General Industry, Storage and Distribution development, the floor area of the development exceeds 10,000 sq metres, and the site area is or exceeds 2 hectares. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community. The applicant(s) has used the Council's

pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.

- 3.7 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to consult with Speyside Community Council (served with copy of PAN) and to hold an online consultation event. In this case the applicant's agent has been advised that no additional parties require to be notified with a copy of the PAN.
- 3.8 The PAN advises that a public event will be held online (date TBC). The event requires to be advertised locally in advance and allow an opportunity for feedback upon the proposal. In relation to this requirement for pre- application consultation the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 temporarily suspended the need to hold a public event in relation to PANs submitted from 24 April 2020 to 1 April 2022, subject to an application being submitted by 30 September 2022. For validation purposes for a major application, the applicant is required to submit a pre-application consultation report setting out the steps taken to consult with the local community together with details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

(b) Policy and Legal

Scottish Government guidance on the role of councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

None.

(h) Climate Change

As this is a Proposal of Application Notice there is limited information provided at this stage to give full consideration to the climate change and biodiversity impacts of this proposal. Nonetheless all development will result in a degree of impact on climate change and biodiversity and this will be considered as the proposal progresses through the planning process. Identifying general concerns about the climate change impacts of major planning applications at an early stage can allow consideration of these aspects before details of the development are finalised.

(i) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning & Delivery Manager, and Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on this Committee have also been consulted and any views received on the proposal will be made known at the meeting

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for permission for a maturation warehousing complex with associated infrastructure and landscaping to the west of Glenrothes Distillery, Rothes. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report: Andrew Miller, Senior Planning Officer
Background Papers:
Ref: 22/00057/PAN