



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
20 AUGUST 2019**

**SUBJECT: 19/00686/PAN - PHASED RE-MODEL AND RE-BUILD OF
EXISTING DISTILLERY INCLUDING NEW EVAPORATOR BIO-
PLANT BOILER HOUSE STILL HOUSE TUN ROOM AND MASH
HOUSE NEW VISITORS PARKING/ACCESS AND ASSOCIATED
LANDSCAPING AT ABERLOUR DISTILLERY**

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 5 June 2019 on behalf of Chivas Brothers Ltd, Aberlour Distillery, Aberlour.
- 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 a phased re-model and re-build of the existing distillery at Aberlour including a new evaporator bio-plant boiler house, still house, tun room and mash house and a new visitors parking area and improved access to site. The proposal also includes enhanced associated landscaping. The PAN includes a Location Plan (**Appendix 1**) which shows the location and extent of the proposed development.
- 3.5 The site extends to approximately 4.7 hectares and comprises the existing distillery complex, an area of open grassland to the east on the opposite side of the Burn of Aberlour which flows through the site and woodland to the south. It is irregular in shape, gently rises to the north where it meets the A95 trunk road and is bounded by housing to the east and woodland to the west and south. The site covers two designations in the Moray Local Development Plan 2015, the R1 Chivas Field housing designation (western portion, approximately 40%) and the entire I2 Aberlour/Glenlivet Distillery Area reserved for the use of the distillery and related business uses. The site is subject to an 'Existing Business Area' designation I2 Aberlour Distillery, in the Proposed Moray Local Development Plan 2020, which combines both the current R1 and I2 sites. This will not be subject to the Examination process.
- 3.6 The SEPA indicative flood map shows that parts of the site which include a section of the Burn of Aberlour and adjacent ground may be at medium to high flood risk of river and surface water flooding. This stretch of burn also forms part of the River Spey Special Area of Conservation (SAC), which joins into the River Spey SAC and SSSI 300m to the northwest. The woodland within the southern part of the site is included within the Ancient Woodland and National Forest Inventories.

- 3.7 Relative to the current Hierarchy Regulations and as general industrial development on a site which exceeds 2 hectares, the proposal would comprise a major development for planning purposes. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community. The applicant(s) have been advised of the Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.
- 3.8 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 and hold a public event in the form of a daytime/evening exhibition. In this case the applicant's agent has been advised that no additional parties require to be notified with a copy of the PAN.
- 3.9 The PAN advises that a public event will be held in the Fleming Hall Aberlour on the 14 August 2019. The event requires to be advertised locally in advance and to allow an opportunity for feedback upon the proposal. 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) Consultations

The Corporate Director (Economic Development Planning & Infrastructure), the Head of Development Services, Legal Services Manager, Development Management and Building Standards Manager, the Equal Opportunities Officer, 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 the Planning & Regulatory Services 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 phased replacement of the Aberlour Distillery. 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: Craig Wilson, Planning Officer

Background Papers:

Ref: