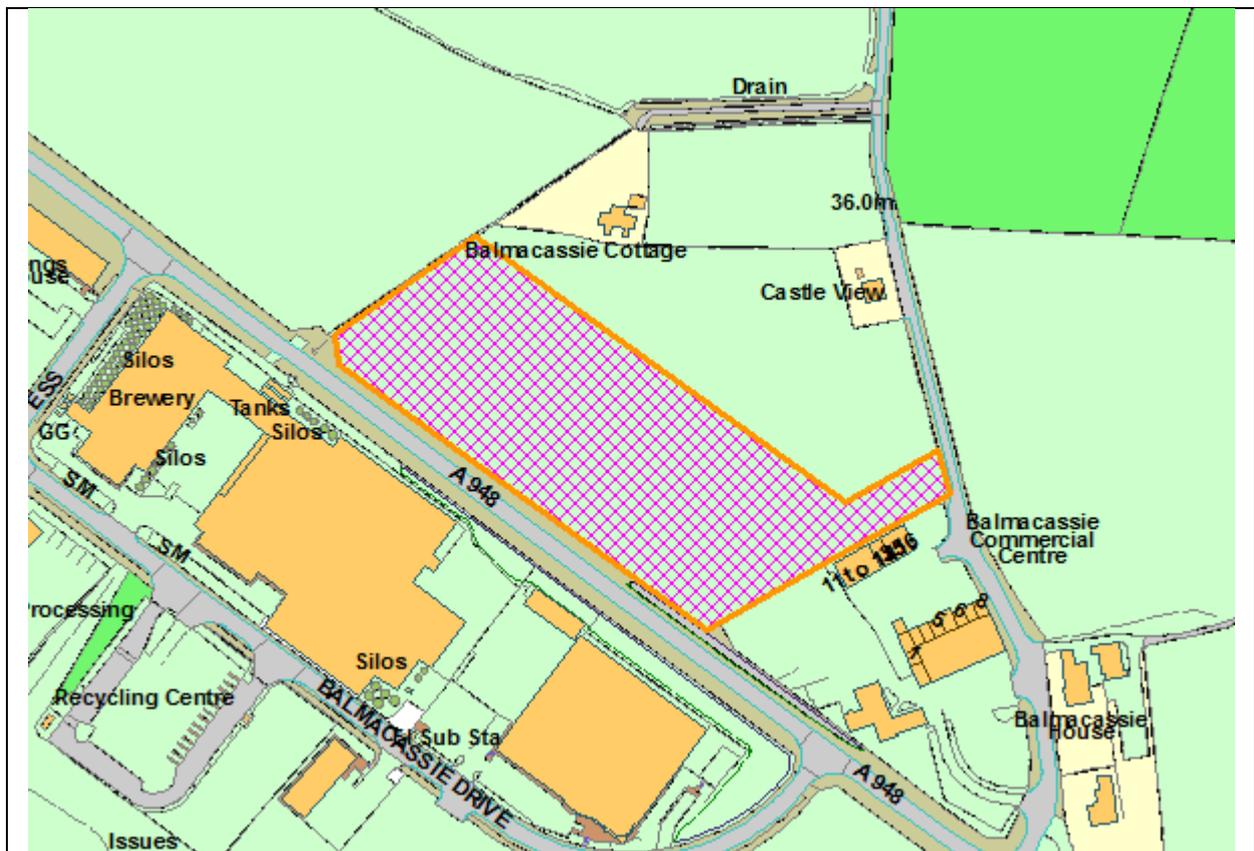


## Formartine Area Committee Report – 20 November 2018

Reference No: APP/2018/1992

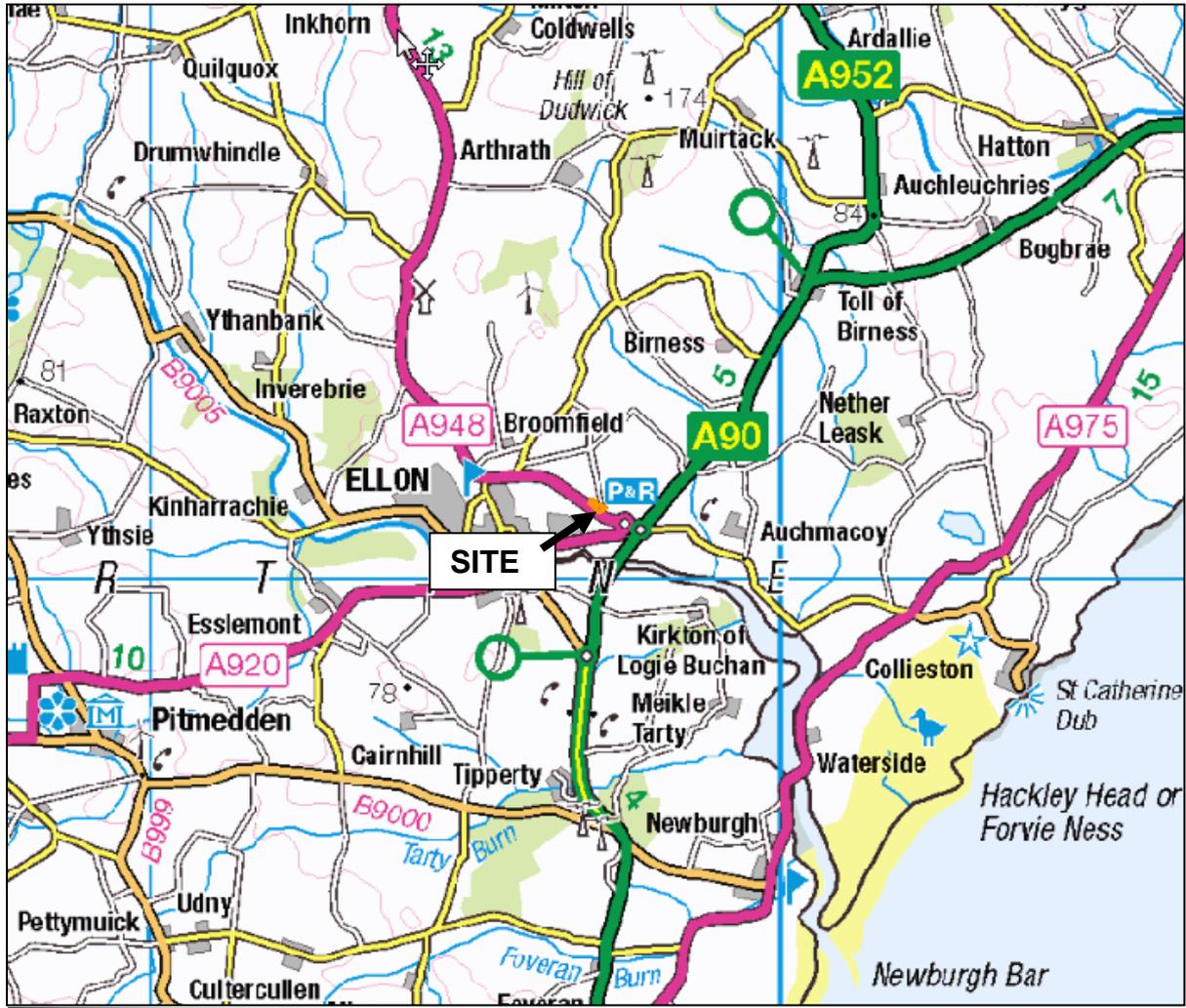
### Full Planning Permission for Installation of Waste Water Tank at Site 8, Balmacassie Commercial Park, Ellon

<b>Applicant:</b>	<b>Brewdog Plc</b>
<b>Agent:</b>	<b>Taylor Design Services</b>
Grid Ref:	E:397084 N:831171
Ward No. and Name:	Ellon And District
Application Type:	Full Planning Permission
Representations:	0
Consultations:	1
Relevant Proposals Map:	Aberdeenshire Local Development Plan
Designations:	AHMA
Complies with Development Plans:	No
Main Recommendation:	Grant



**NOT TO SCALE**

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## **1. Reason for Report**

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1c of Part 2C Planning Delegations of the Scheme of Governance as the proposal is a departure from the Development Plan and is recommended for approval.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 Full planning permission is sought for the installation of a waste water tank at Site 8, Balmacassie Commercial Park, Ellon.
- 2.2 The site (approximately 0.2 HA) is located within the settlement boundary of Ellon, adjacent to the Balmacassie Commercial Centre. The site is currently agricultural; however it is part of an allocated site, in the Aberdeenshire Local Development Plan, known as site R1. This site is protected land, reserved for a new cemetery. Refer to Appendix 1 for Location Plan and Appendix 2 for the Site Plan.
- 2.3 The proposal comprises the installation of a 2000m<sup>3</sup> waste water tank at the south east corner of the site, lying directly adjacent to an existing waste tank and control house. The tank will be cylindrical and measure a height of 11.2 metres from ground level, 15.3 metres in width and will sit on a concrete base measuring 16.5 metres in diameter. Refer to Appendix 3 for Elevations.
- 2.4 This additional tank is to facilitate the existing storage on site which is deemed to be strained as per the applicant's supporting information. The applicant advised that the existing waste water tank can currently accommodate less than a single day's production. The new tank shall extend the operational window to several days which would enhance operational efficiency and allow the applicant to store its water effluent locally.
- 2.5 The site layout includes existing bunding along the boundary with the A948 and a new 2100mm high retaining wall between the proposed water tank and the existing tank. The plans also indicate proposed tree planting directly adjacent to the existing bunding. Brewdog's headquarters and main operations lie directly to the south of the site with two farm houses located to the west and north west.
- 2.6 Vehicle access is taken via the north east most part of the site. The road has been formed from the existing public road that runs beyond the Balmacassie Commercial Centre which lies directly to the east. The existing access road leads to a proposed vehicle turning area that has a hard core surface. There is no new or altered water supply or drainage arrangements proposed.

## 2.7 Relevant Planning History

### Application Site

Full Planning Permission APP/2015/3387 for a Waste Centre Ancillary to the Existing Beverage Production Facility; including Access Arrangements and Change of Use from Agricultural to General Industrial (Class 5) was approved on the 10th March 2016.

### Adjacent Site

Full Planning Permission APP/2012/3027 for the Creation of cemetery and associated car parking was approved on the 2nd July 2014.

2.8 A Supporting Statement to provide justification for this development was submitted as part of the application.

2.9 There have not been any variations or amendments to this application.

## 3. Representations

3.1 At the time of writing, no comments have been received however, as the neighbour notification period expires on the 15/11/2018, Members will be verbally updated at committee if any comments are received.

## 4. Consultations

4.1 **Infrastructure Services (Environmental Health)** has no objection to the proposal.

## 5. Relevant Planning Policies

### 5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and

rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

## 5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

## 5.3 Aberdeenshire Local Development Plan 2017

P3 Infill and householder developments within settlements (including home and work proposals)

P1 Layout siting and design

E2 Landscape

RD1 Providing suitable services

## 5.4 Other Material Considerations

None

## **6. Discussion**

6.1 Full planning permission is sought for the installation of a Waste Water Tank which is ancillary and essential to the existing beverage production facility for Brewdog. The main issues to consider are the possible impact the proposal will have on the wider area and landscape.

6.2 The application is proposed on a site that is within the settlement boundary for Ellon, as defined in the Settlement Statement within the Aberdeenshire Local Development Plan 2017. The site is also protected in the Aberdeenshire Local Development Plan for the provision of a new cemetery. However, immediately to the north west of the application site, planning permission has previously been approved for a new cemetery; reference number APP/2012/3027, on land within the R1 allocation.

6.3 Policy P1 Layout siting and design of new development ensures that all new development must have respect for its setting and are welcoming through visual appeal. The proposed development site provides a logical extension to the business operations at Balmacassie Industrial Estate. The application site is part of one of Ellon's principle employment areas which facilitates Brewdog,

an established brewery. Although the proposal is large, there is an area of bunding and proposed tree planting that once mature will help mitigate the proposed structure within the surrounding landscape. In addition, although the waste water tank is relatively large, it will not be out of character in terms of style and layout to the existing waste water treatment tank that is on the site currently and is actually agricultural in nature. The proposed tank shall not be out of keeping with the structures within the immediate vicinity of the area, namely those that currently facilitate the production at the Brewdog facility directly to the south of the site. It is considered that these existing structures to the south will also provide a certain amount of screening for the proposal and therefore reduce any impact on the surrounding landscape. Taking the above into account, it is considered that the proposal complies with P1 and E2 of the Local Development Plan.

- 6.4 In terms of Policy RD1, the applicant proposes to utilise the existing vehicle access track that has previously been formed adjacent to the public road (A948) that currently facilitates the existing waste water tank. In addition, the applicant has advised that there shall be no new or altered water supply or drainage arrangements as part of this proposal. Following consultation, Environmental Health have no objection to the proposal. The Planning Service is satisfied that these arrangements would comply with Policy RD1.
- 6.5 However the proposal does not accord with the requirements of the Settlement Statement for Ellon which has reserved the land for a cemetery (Site R1). While an application for a cemetery has been approved within R1, this is not on the application site, nor is it expected to come forward. Currently the Planning Service is considering an alternative site for the new cemetery at a location 2km to the east on land at Auchterellon Farm (APP/2018/2343 refers). Should it be the case that the approved site does come forward, this proposal does not form part of that site.
- 6.6 It is considered that the proposal will facilitate the continuous business needs that are required for Brewdog to operate efficiently and would not inhibit the delivery of the new cemetery for the town. It is therefore considered that the proposal would be an acceptable departure from the Aberdeenshire Local Development Plan. As such the development is recommended for approval, subject to conditions.

## **7. Area Implications**

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

## **8. Implications and Risk**

- 8.1 An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the Planning Authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

## **9. Sustainability Implications**

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

## **10. Departures, Notifications and Referrals**

### **10.1 Strategic Development Plan Departures**

None

### **10.2 Local Development Plan Departures**

R1 (Reserved for a new cemetery) as detailed in the Ellon Settlement Statement

- 10.3 The application is a Departure from the Local Development Plan and has been advertised as such.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## **11. Recommendation**

### **11.1 GRANT subject to the following conditions:-**

01. That no works in connection with the development hereby approved shall take place unless a scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:
- i. Existing landscape features and vegetation to be retained.
  - ii. The location of new trees, shrubs, hedges and grassed areas.
  - iii. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
  - iv. Full details, including height, of the proposed bunding proposed.

- v A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped area shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

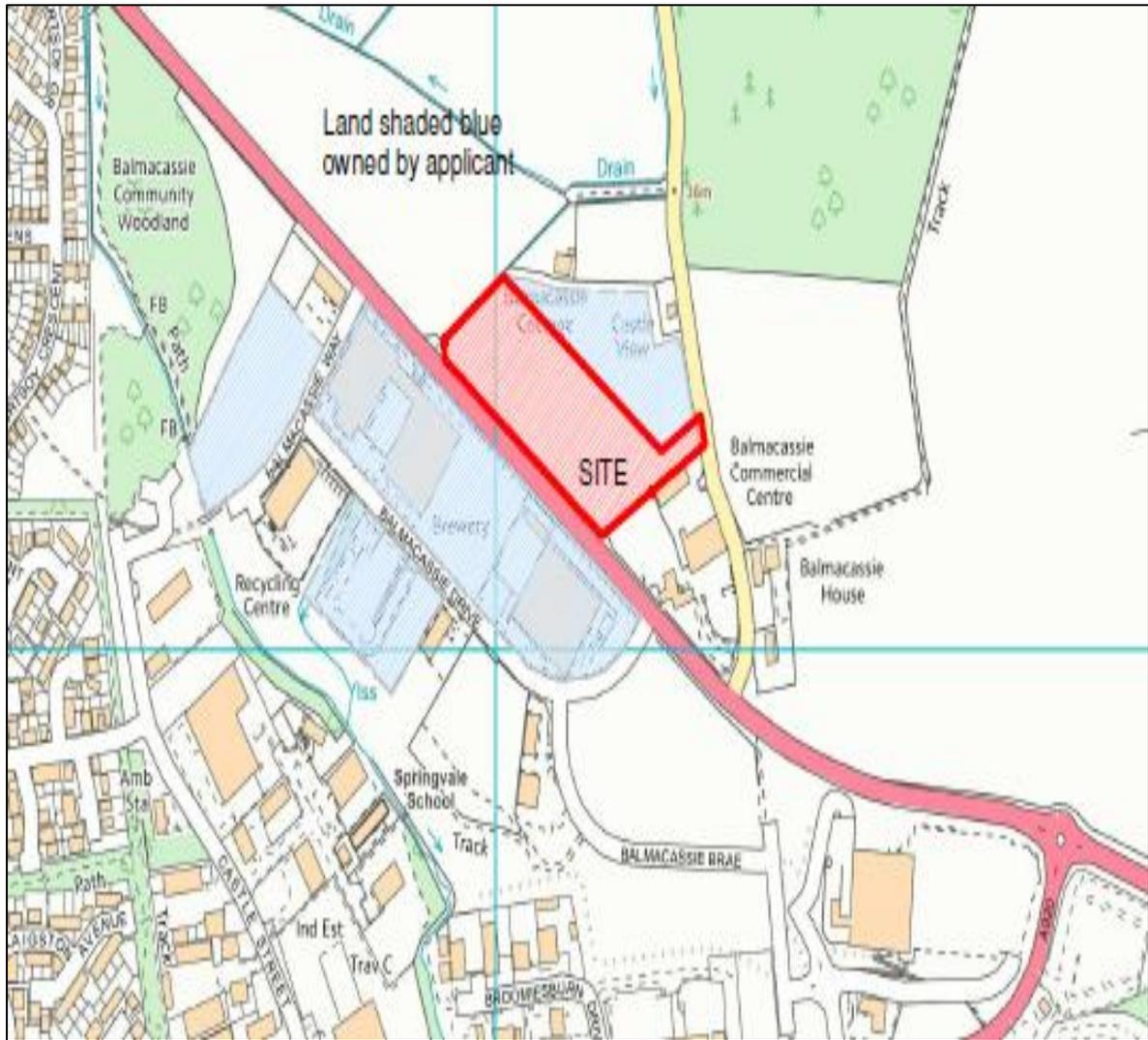
- 02. Prior to the commencement of the development, full details of the design and materials to be utilised for the Waste Water Tank shall be submitted and approved in writing by the Planning Authority.

Reason: In the interest of the visual amenity of the area.

#### 11.2 **That the Committee agree the reason for departing from the Local Development Plan**

- 01. The proposal will not inhibit the delivery of a new cemetery for Ellon and will facilitate the continuous business needs that are required for Brewdog to operate efficiently. While the proposal does not comply with the Settlement Statement for Ellon in the Aberdeenshire Local Development Plan 2017 it is considered that it is an acceptable departure from the plan.

Stephen Archer  
Director of Infrastructure Services  
Author of Report: Colin Campbell  
Report Date: 10 October 2018





APP/2018/1992

Appendix 3

