

## Buchan Area Committee Report 4 June 2019

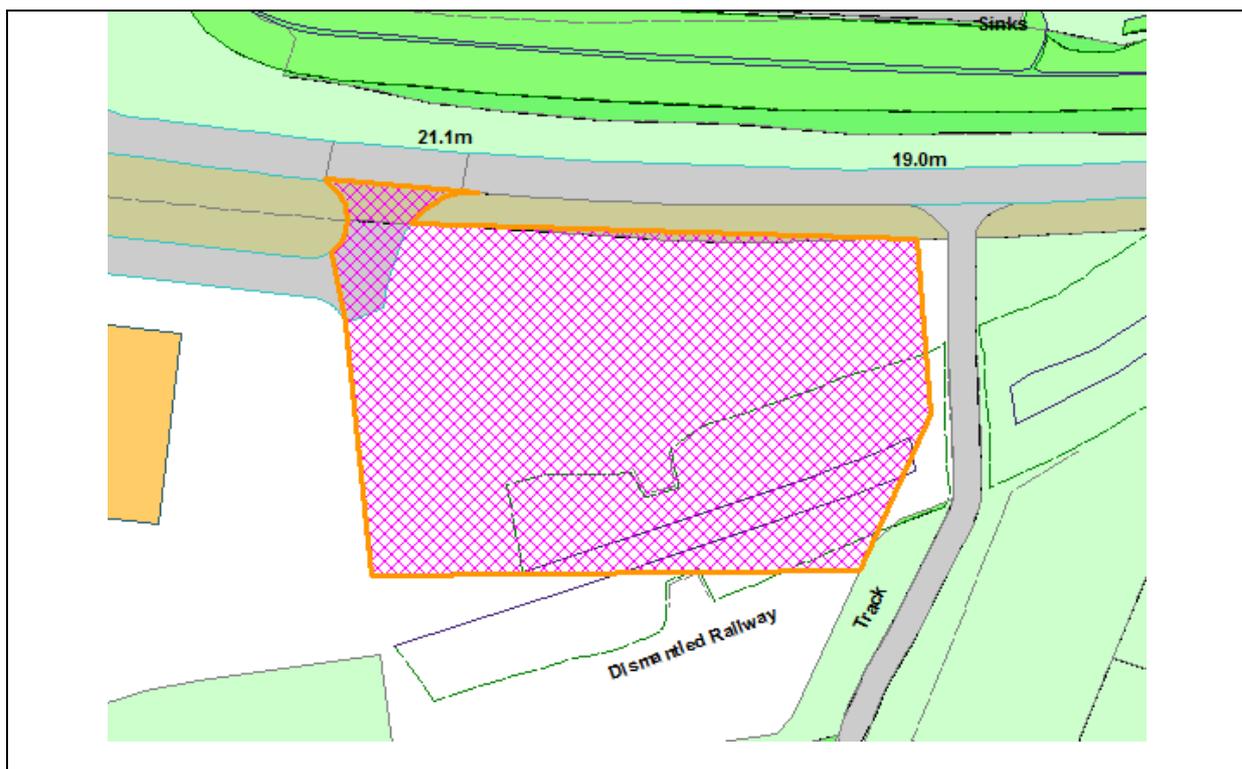
Reference No: APP/2019/0043

### Full Planning Permission for Erection of Class 6 (Storage and Distribution) Building and Associated Infrastructure at Land at Sandford Business Park, Invernettie, Peterhead, Aberdeenshire

**Applicant:** Finnie 4x4, Sanford Business Park, Peterhead, AB42 3FX

**Agent:** Ashley Bartlam Partnership, Wards House, Wards Road, Elgin, IV30 1NL

Grid Ref: E:412131 N:843995  
Ward No. and Name: W06 - Peterhead South and Cruden  
Application Type: Full Planning Permission  
Representations: None  
Consultations: 8  
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017  
Designations: Rural Housing Market Area  
Complies with Development Plans: No  
Main Recommendation: Approve



**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 application for development 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 This application seeks full planning permission for the erection of a warehouse unit incorporating a distribution/wholesale outlet on land at the Sandford Business Park on the Southern edge of Peterhead (See Appendix 1 - Location Plan). The site is located to the East of the Invernettie roundabout directly adjacent to an existing warehouse. To the North of the site, over the road, is a large engineering works building (Score). To the South and East is open ground and beyond that the sea. The site is relatively level. This area of Peterhead is defined by a mixture of business uses including industrial, distribution and large scale retail. (See Appendix 2 - Site Plan)
- 2.2 The proposed site measures approximately 110 metres across the frontage on South Base Road and 65 metres deep. The shared access would be taken from the North-Western corner of the site over a shared access road, which opens to the car park entrance to the South-West of the site. The proposed building is to be orientated with the ridge line running along the East/West axis and would be located to North of the site and centrally placed from the lateral boundaries. It would measure approximately 55 by 22 metres, with a height of 10 metres height (7.5 metres to the eaves). Parking and turning areas are to be located to the South of the building with further storage areas to the South and East of the site. (See Appendix 3 – Floor Plan and Elevations)
- 2.3 The proposed materials for the warehouse are as follows:  
Roof: Metallic silver metal roof sheeting  
Walls: Metallic silver vertical metal sheeting, warm grey smooth basecourse  
Doors: Merlin Grey metal large doors, blue uPVC small doors and windows  
RW Goods: Merlin grey uPVC gutters and downpipes
- 2.4 There would be 10 roof lights on each roof pitch. The South elevation includes 2 large doors, 2 small doors and ground floor windows. The West elevation includes a first floor door accessed by a staircase. The East and North elevations would remain relatively plain except for signage. All proposed signage will require a separate application seeking advertisement consent. It is proposed to surround the site with a 3 metre high grey metal mesh fence.

- 2.5 There is an existing culvert which runs underneath the site which disposes of surface waters. It is proposed to remove this infrastructure.

*Relevant Planning History*

- 2.6 APP/2018/1845: Erection of class 6 building & infrastructure – Withdrawn, 2 October 2018.  
APP/2019/0134: Installation of drainage – Granted, 10 May 2019.  
APP/2018/1831: Underground HVDC cables (affects the site) – Granted subject to conditions, 17 January 2019.

*Variations & Amendments*

- 2.7 After discussions with the Flood risk and Coastal Protection Team the applicant included the removal of the existing culvert across the site as part of the proposals.

### **3. Representations**

- 3.1 No valid letters of representation have been received.

### **4. Consultations**

#### *4.1 Internal*

**Infrastructure Services (Contaminated Land Unit)** was consulted and have not responded at the time of writing. Under the previous application (APP/2018/1845), it had received confirmation that the former use on the site indicates that a former railway embankment was constructed of reworked natural materials. It had recommended a formal note be attached to any approval.

**Infrastructure Services (Environmental Health)** states no objections.

**Infrastructure Services (Flood Risk and Coastal Protection)** was consulted and referred to its comments set out under the previous application (APP/2018/1845) whereby it requested further information in order to assess surface water flood risk in this area. Additional information was submitted which the team deemed satisfactory and the holding objection was withdrawn.

**Infrastructure Services (Roads Development)** was consulted and advised that the parking arrangements are deemed to be acceptable. The application also demonstrates the required HGV loading bays and adequate space for these vehicles. Visibility from the public road is already established. The service does not object to the application subject to conditions.

#### *4.2 External*

**Health and Safety Executive** do not advise against, on safety grounds, against the granting of planning permission in this case.

**Scottish and Southern Energy Ltd** was consulted and had no specific concerns regarding this development. It has stated that there is a low voltage

underground cable in the vicinity of the development area. It was consulted during the previous application (APP/2018/1845) and it confirmed that it does not anticipate an issue with the proposal in respect to potential carbon capture proposals. It also stated that the most recent carbon capture project was completely enclosed within the existing station footprint. This advice was confirmed to still stand.

**Scottish Water** was consulted and had no objections to the proposal. At the time of writing noted that there is sufficient capacity in the Turriff Water Treatment Works and the Peterhead PFI Waste Water Treatment Works.

**Transport Scotland** was consulted and it does not propose to advise against the granting of permission.

## 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.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

### 5.3 Aberdeenshire Local Development Plan 2017

Policy P1: Layout, siting and design  
Policy PR2: Protecting important development sites  
Policy P4: Hazardous and potentially polluting developments and contaminated land  
Policy C4: Flooding  
Policy RD1: Providing suitable services

### 5.4 Other Material Considerations

None.

## 6. Discussion

6.1 The main issues to consider are the principle of development and the likely impact upon the character and amenity of the surrounding area. Servicing and access will also be assessed as well as other considerations such as the potential for surface water flooding and issues relating to the existing culvert which runs through the site.

### Principle of development

6.2 Policy PR2 Protecting important development sites states that we will protect and not allow alternative development on sites that may reasonably be needed in the future for providing energy and also sites which support developments included within the National Planning Framework 3 (NPF3). The proposed site is located within land which is reserved in the Aberdeenshire Local Development Plan 2017. The settlement statement outlines the reserved use of this land, R2, as follows;

For development related to Peterhead Power Station, Carbon Capture and storage, a possible landfall for a potential international North Sea interconnector, onshore connections to support offshore renewable energy, and major energy developments as set out in NPF3.

6.3 It is noted that this reserved land is considerable in size, and that the proposed site subject to this application is comparatively modest and also located at the periphery of the reserved land. For the principle of development to be deemed acceptable it must be determined what effect, if any, the proposal would have upon the delivery of the aforementioned.

- 6.4 Scottish and Southern Energy have stated that they do not foresee that the proposal would have any impact upon any future carbon capture project or any other project relating to the Power Station. An application for the North Sea interconnector has been approved to the South of Boddam (APP/2018/1831).
- 6.5 Informally, advice was sought from the Policy Team which noted that the application contains no information which links the proposed development to the energy sector. The settlement statement, as set out above, does not have any requirement for this site to deliver development related to the energy sector in general, rather it requires development related to specific projects. It is considered not possible or reasonable to condition such a link once the application is approved. It is acknowledged that, as submitted, the development does not comply with the settlement statement but it is considered that it should be supported as a departure because it will not affect the delivery of the outlined projects and is in a peripheral location on the allocated site, and lies adjacent to other similar buildings on a wider business park. Furthermore it is noted that SSE have confirmed its position, and have no objections.

#### Layout, siting and design

- 6.6 The design proposals are deemed acceptable in this location which is predominantly characterised by similar such structures and other out of town services which have little visual sensitivity. The scale and materials used are acceptable for this location also. A class 6 use in this area would not be out of place.

#### Issues relating to potential flooding concerns

- 6.7 Flood Risk and Coastal Protection Team was consulted under the previous application (APP/2018/1845) as the site is within an area indicated on the SEPA flood maps as being potentially susceptible to surface water flooding. It has referred to its previous comments under this application. It requested the following further information:
- Further information as to how the site is currently drained, including any existing connections to the culvert and/or overland flow paths.
  - The existing culvert needs to be diverted to remain out with the proposed buildings footprint. Suitable buffer strips either side of the culvert should be demonstrated to ensure access for maintenance. A bend in any new culvert would increase likelihood of blockages, access points are recommended for maintenance.
  - Condition survey of existing culvert required. This should include details of size and exact location of culvert including connections.
  - Further details of the drainage calculations are required including the return periods that the system is designed for, discharge rate to the culvert and details of storage volumes. Capacity calculation for existing culvert should be carried out to ensure additional flows from site can be accommodated.

- 6.8 Policy C4 Flooding states that development should avoid areas which are at risk of flooding or developments which could cause flooding issues elsewhere. The applicant submitted a Development Impact Assessment Report. This report set out the SUDs strategy for the site. The main points are as follows:
- CCTV survey of existing culverted watercourse confirms that it is in poor condition with sections collapsed. Existing pre development area has free discharge to this watercourse via various location points without treatment.
  - Surface water runoff from site is to be collected either via collecting points to the dry-swale system around the perimeter of the site under consideration or directly to the dry-swale system.
  - Dry-swale system provides above ground storage capacity during 200yr storm return event +30% climate change.
- 6.9 The applicant submitted drawings which show pre- and post- development surface water runoff details and also drainage calculations. The proposed underground drainage layout shows that the proposed dry-swale and de-culverted watercourse will connect to existing drainage culverts at either end. It is proposed to remove the existing damaged culvert across the site. The Flood Risk and Coastal Protection team are satisfied that the system will improve drainage in this area and will not increase the risk of surface water flooding onsite or elsewhere.
- 6.10 The tandem planning application (reference APP/2019/0134) has been approved under delegated powers.

#### Access

- 6.11 The applicant has demonstrated suitable access and parking for this proposal. The Roads Development team has not objected to the application and subject to conditions the proposal is considered compliant with Policy RD1 Providing suitable services.

#### Conclusions

- 6.12 The principle of development can be supported as a departure given the peripheral nature of the site in relation to the wider reserved land, the immediate adjacent land uses, and the evidence that potential future key infrastructure projects would not be affected by the development. The application accords with all other relevant policies from the Aberdeenshire Local Development Plan 2017. The proposals are acceptable in terms of layout, siting and design. There are no concerns relating to drainage or flooding. The access arrangements are acceptable. There are no concerns in terms of contamination.

### **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**

Policy PR2 Protecting important development sites

- 10.3 The application is a Departure from the valid Local Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.
- 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 Full Planning Permission subject to the following conditions:-**

- 01. The development hereby approved shall not be brought into use unless the access, turning areas and parking areas have been provided and surfaced in accordance with the details shown on the approved plans. Once provided, the access, parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access to the development to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

02. No works in connection with the development hereby approved shall commence unless the proposed surface water drainage system has been provided in accordance with the approved plans, the Development Impact Assessment submitted March 2019 and the development approved under APP/2019/0134 has been provided in full. The surface water drainage system shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

03. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

04. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

**11.2 That the Committee agree the reason for departing from the Aberdeenshire Local Development Plan 2017.**

That the Committee agree the reason for departing from Policy PR2 Protecting important development sites, because of the peripheral nature of the site in relation to the wider reserved land, the immediate adjacent development, and the evidence that potential future key infrastructure projects would not be affected by the development.

Stephen Archer  
Director of Infrastructure Services  
Author of Report: John Todd  
Report Date: 2 May 2019



**Location Plan 1:2500**  
Development boundary outlined in RED - 6,996m<sup>2</sup> / 1.73 acres  
Other land owned by applicant outlined in BLUE

