

PLANNING APPLICATION: 03/02349/FUL

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

The Proposal

- Erect industrial building and establish recycling centre at the Disused Airfield, Nether Dallachy.
- Erection of separating shed (36 x 18 x 9.6m (to ridge)), 5No holding bays, composting row, office building and installation of weigh bridge and erection of 1.8m high perimeter fencing, together with formation of a bund to be formed with native species planting.
- Proposed opening hours are Mon-Fri 7a.m. - 7p.m, Sat 7a.m.- 5pm, Sunday 8a.m. - 4p.m.
- Materials to be re-cycled include stone, concrete, blockwork, timber, glass, tin cans, trees, grass cuttings, vegetable wastes and waste materials from melting processes.
- Public water supply connection only. No foul drainage arrangement details provided or indicated however applicant understood to be considering a non-mains drainage system.

The Site

- Rectangular shaped, flat site 10,500 sq. m or 2.6ha approximately, formally part of a runway of an airfield.
- Access from Beaufighter Road.
- According to applicant access is proposed via the existing route used by the refuse trucks from the A96 onto the B9104, then the C16E and the U8E Tynet to Nether Dallachy road.

Policy / Objections-Representations / Consultations - See Appendix

History

03/01482/PE - Preliminary Enquiry for proposed waste recycling centre at disused airfield, Nether Dallachy, Spey Bay. Informal advice given on 29th August 2003 that the application was likely to be recommended for refusal as it was contrary to the site's designation.

Relevant history of adjacent site - Spey Bay Auto Salvage

00/00316/FUL - Proposed alterations and extension to Spey Bay Auto Salvage, Nether Dallachy - Approved 7th April 2002.

99/01552/FUL - Renewal of temporary consent for proposed use of part of yard space for building materials for bulk distribution and public works contractors plant, Spey Bay Auto Salvage, Nether Dallachy - Approved 12th November, 1999.

95/01502/FUL - Proposed use of part of yard space for storage of building materials, Spey Bay Auto Salvage, Nether Dallachy - Approved February 1996.

94/00829/FUL - Renew planning consent (87/00821/FUL) to use existing premises as Auto Salvage, Nether Dallachy - Approved 3rd November 1994.

87/00821/FUL - Change of use of potato store to car sales, spares and breakers premises, Nether Dallachy - Approved 13th December 1987.

Advertisement

Advertised as a departure from the development plan.

Observations

The main determining issues are as follows

Departure from the development plan (L/IMP8)

a) Impact on the Dallachy Airfield strategic industrial reserve and its future development (S/ED3 and L/ED7)

The site is intended to provide a strategic reserve for large-scale development proposals with requirements in excess of 4 hectares and having specific locational requirements. The proposed site area is only 2.6 hectares. The applicant has failed to provide a specific locational need for this particular site. Following consultation with the Environmental Protection Section, there is no strong locational requirement for the development to be located next to the Council's Landfill Site. Shared loads of recyclable and non recyclable waste are unlikely. Furthermore, there would be no reduction in the number of vehicles using the landfill site.

The proposal would be premature until such time as the site was no longer required or identified as a strategic reserve. The Council's stated intention for the use of the site as a strategic reserve for major proposals is identified in the existing development plan designation. In the absence of any overall layout plan for the development of the site the proposal would result in a piecemeal, ad hoc development within this strategic reserve. In addition and with the proposed site location close to the preferred road access, the proposal would take up a 'prime' part of the former airfield site and could prejudice the location and access for any further development occupying the site.

Although located within the designation, it should be noted that the development of Spey Bay Auto Salvage pre-dates the policies in this current development plan.

b) Access from adjoining road system (L/ED7)

Access to the site is from the A96 not the A98 as required by the designation. Notwithstanding the practical difficulties of applying or enforcing conditions stipulating vehicle routes to the site, a departure on this issue could nevertheless be considered. In this case the Transportation Manager has not objected to the proposal vehicle route which has, in any case, already been upgraded to cater for refuse trucks accessing the Council's landfill site. However, it should be noted that by accepting this and other sporadic, piecemeal development opportunities using the alternative access arrangements, this would result in difficulties in securing contributions to fund

improvements in road infrastructure, namely the required up-grading of the U8E road as the access route to serve this strategic reserve site in accordance with policy L/ED7.

Drainage (L/ENV21 and L/ENV24)

No provision for drainage has been made in the application, although it is understood that the applicant is considering a septic tank and a soakaway. This would require a separate application. SEPA has requested further details of surface water disposal to be submitted.

Waste Management Strategy (S/ENV7, L/ENV20)

The proposals are in line with the Council's own waste strategy which seeks to promote sustainable waste disposal methods including recycling. The Environmental Protection Section has commented that this type of proposal is welcomed. As part of the Council's waste plan, tenders are to be issued shortly for the composting of green waste and reprocessing of mixed glass collected by the Council. The applicant has expressed an interest in these tenders. The pursuance of the waste strategy objectives does not in this case over-ride the requirement to maintain the site as a strategic reserve.

Amenity of Surrounding Residential Properties (S/IMP1, L/IMP2 and L/IMP3)

The nearest residential property is 400m from the site with a screening of trees in front of it. Given the distance of the operation from existing dwellings it is not considered to have an adverse impact in terms of noise or smell nuisance. Relevant consultees have not objected to the proposals and no Noise Impact Assessment (NIA) has been submitted or requested.

Access -and Servicing (S/T1, L/T4, L/T7 and L/ED7)

The Transportation Section has raised no objections to the proposals subject to strengthening of the road at the site access.

Recommendation

Refusal.

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Planning Officer

Ext: 01343 563272

Signature (*Joe Geoghegan, Development Control Manager*)

R A STEWART
DIRECTOR OF ENVIRONMENTAL SERVICES

APPENDIX

POLICY

Moray Structure Plan and/or Moray Local Plan 2000

Moray Structure Plan Strategy

The Moray Structure Plan Strategy is to promote economic growth and development across Moray whilst safeguarding and enhancing the natural and built environment, and promoting overall sustainability. This will require:

- i) the provision of adequate land for development focused upon the existing settlement pattern;
- ii) the securing and targeting of resources to promote economic development and employment opportunities;
- iii) the securing of a modern transport and communications network;
- iv) the protection and conservation of the valued elements of the natural and built environment;
- v) the efficient use of energy related to and in the location of the development;
- vi) the sustainable use of natural resources;
- vii) the promotion of community planning and development;
- viii) the promotion of well designed and located development in remoter rural areas.

Policy S/ED1: Approach to Economic Development

The approach to Economic Development in Moray is to target public and private sector resources into towns and established business areas while safeguarding the environment and making best use of infrastructure. It will promote:-

- i) the growth and diversification of indigenous businesses and services;
- ii) the safeguarding of those natural resources which underpin local industry;
- iii) inward investment opportunities;
- iv) telematics/information processing and
- v) tourism.

The approach will include taking full advantage of available European funding for industrial and business infrastructure and seeking adequate replacement of existing Structural Fund arrangements to benefit Moray.

Policy S/ED3: Business Parks

Sites will be identified for specialised business parks at:

- i) Forres: to accommodate high amenity development including large scale inward investment.
- ii) Dallachy: as a land reserve in the east of Moray for major proposals.

Policy L/ED1: Supply of Serviced Industrial Land

In accordance with the Structure Plan Policy S/ED2, the Local Plan provides for minimum quotas of industrial land for industrial and business use, in Elgin, Forres, Buckie and Keith and at other locations including Lossiemouth, Mosstodloch, Lhanbryde, Aberlour, Rothes, and Dufftown. Site identification and conditions of development relating to these industrial sites are contained in Town and Village Statements.

Given the concentration of manufacturing industry in the Rothes/Aberlour/Dufftown area (primarily whisky and bakery products) and the resultant transport requirements, there may be a need for a site to accommodate the warehousing/distribution activity generated. The Council in association with other economic agencies will undertake a site search for such a facility to provide an initial area of up to 5 hectares to meet the "strategic" needs of Speyside. By implication, this may have to be outwith identified settlement boundaries.

Policy L/ED7: Forres and Dallachy Strategic Sites

(ii) **Dallachy Airfield:** This site (100 hectares) has been identified in previous Local Plans as a large scale industrial reserve. This designation will be continued, and the site will be retained to accommodate large scale developments (over 4 hectares) with specific locational requirements, away from main population centres. To provide an alternative to the Tarras site, a wider range of activities and uses will be considered for Dallachy, subject to their compliance with environmental safeguarding policies. Notwithstanding any improvements which may be carried out to the B9014 Fochabers-Spey Bay Road, access to the site must be taken from Tynet on the A98, which will require significant road improvements to be carried out. (see also Policy L/ED1 regarding the promotion of a strategic site for speyside)

Policy S/ENV1: Approach to the Environment

The approach to Environmental Policy is to conserve and enhance Moray's environmental assets, and require that new development is sensitive to siting, location, and design considerations, whether in town or country.

Policy S/ENV7: Waste and Waste Water Treatment and Disposal

The Council will devise a strategy in accordance with the National Waste Strategy when it becomes available for waste minimisation and recycling in order to reduce the demand for landfill. The Council will set standards for the opening up of new landfill sites, and alternative waste management facilities and for material that may be disposed of /treated within them. The standards will also apply to the location of new waste water treatment works and their operational impact. Sites for central disposal of waste and waste water will require an E.I.A.

Policy L/ENV20: Waste Management

The Council will expect waste disposal authorities and companies to consider and promote sustainable waste disposal methods including pre-treatment, recycling, energy from waste including methane use and capture treatment. Proposals for landfill sites must demonstrate that environmental, geological, landscape and ecological impacts are acceptable, where appropriate under the terms of an Environmental Impact Assessment; and that there are no unacceptable transport impacts through a Transport Impact Assessment.

Policy S/ENV8: Sustainable Urban Drainage

The Council will promote the policy of Sustainable Urban Drainage (SUD), in consultation with SEPA and NOSWA by the incorporation of Sustainable Urban Drainage Systems (SUDs) acceptable to the Council and the regulating authorities.

Policy L/ENV24: Surface Water Drainage: Sustainable Urban Drainage System

In consultation with SEPA, NOSWA and the Council's Road Service, Sustainable Urban Drainage Systems (SUDs) will be sought on all development sites as identified in the settlement plans and on all 'windfall' sites (i.e. redevelopments and undesignated sites) accommodating in excess of 10 residential units or measuring in excess of 2,000 sq. m of non-residential development land.

Settlement statements and development briefs shall identify sites where an explicit surface water management plan requires to be submitted and approved as part of the planning application.

Where SUDs are proposed applicants must specify provisions for long term maintenance to the satisfaction of the Council and the regulatory authorities.

Policy S/T1: Approach to Transportation

The approach to transportation is to enhance accessibility by improving transport links and services, and to promote sustainability by advancing traffic management, cycling and walking.

Policy L/T4: Provision of Road Access

The Council will require that a suitable and safe access from the public highway is provided.

Policy L/T7: Parking Standards

Proposals for different forms of development must comply with the Council's 'Car Parking Standards' (available from the Council's Roads Service).

Where development (including housing) within the defined town centre cannot reasonably supply parking on site, (or where it is appropriate not to include parking), the developer will require to comply with the Council's system for 'commuted payments' for parking. Housing development in town centres which need not provide residential parking on site, must make provision for vehicular access for deliveries and emergencies.

In housing developments of over 30 houses, provision must be made for communal off-street parking, in addition to in-curtilage in order to permit the parking of large commercial vehicles away from road frontages.

Policy S/IMP1: Development Siting, Layout and Design

New development will require to be sensitively sited, designed and serviced. It should meet the following criteria:-

- i) its, scale, density and character is appropriate to the surrounding area;
- ii) it can be successfully integrated into the surrounding landscape;

- iii) it meets wider transportation and local site energy efficiency objectives;
- iv) adequate infrastructure is available or could be made available in conjunction with the development;
- v) consideration is given to the provision of infrastructure which meets sustainable urban drainage principles using appropriate Sustainable Urban Drainage Systems;
- vi) adequate social and community facilities are available or could be provided in conjunction with the development;
- vii) it does not adversely affect nature, urban or historic conservation resources;
- viii) it seeks to manage flood related issues;
- ix) pollution is avoided, including pollution of ground water.

Policy L/IMP2: Development in Rural Areas

The Council will seek to ensure that all proposals for development in the rural area (i.e. all areas in Moray outwith town settlement and rural community boundaries) are compatible in terms of character, amenity and design, integrate sensitively into the environment and, where possible, located within easy walking range of public transport (this latter requirement will particularly apply to large scale developments). The Council will, therefore, pay special regard to matters such as traffic and landscape impact, accessibility, loss of productive or biodiverse land, siting, scale, colour and energy conservation. The Council will consult relevant organisations such as Scottish Natural Heritage, the Scottish Environmental Protection Agency etc. on significant development proposals and 'The Moray Landscape Character Assessment' report as prepared by Scottish Natural Heritage will be utilised to inform decisions on siting and locating within the landscape.

Policy L/IMP3: New Building Design

(i) Design Principles

All building development must be designed to respond adequately to the locality. Applications must meet the following requirements:-

- a) appropriate location in landscape or townscape
- b) careful placement on a site, particularly in relation to character, amenity and energy conservation
- c) appropriate size and form in relation to existing buildings, sky line and landform
- d) appropriate density, layout and orientation in relation to character, amenity, privacy of neighbouring properties and energy conservation
- e) sensitive use of materials and colours in relation to existing setting and environmental impact

Standardised solutions to building design are not encouraged and will not be acceptable unless existing context (the design and character of the existing surroundings) suggests otherwise. Design solutions which seriously compromise the amenity and character of the area will not be permitted.

Highly innovative, experimental solutions will be encouraged but may not be suitable in every situation. In certain circumstances, the Council may request written design statements explaining various aspects of design solution e.g. explaining why a particular approach has been taken, and expect applications to show new buildings in their wider relationship with surrounding properties and the site (plans and elevations/perspective/ photomontages showing adjacent buildings, trees, landform etc)

(iv) Materials

The Council will particularly encourage the use of materials which are sustainable. The use of salvaged or recycled material is encouraged in most circumstances subject to local situation and there is a strong expectation that traditional materials will be used on heritage structures. The Council will discourage the over use of high energy materials (i.e. those which require high energy levels to make and dispose) where alternatives can be used and is also concerned about the potential long term affects of using Tropical Hardwoods, from non-managed sources.

OBJECTIONS-REPRESENTATIONS

A letter was received from Mr. Arthur Fearnley (Secretary of Lennox Community Council) 18, The Muir, Bogmoor, Spey Bay

The main issues raised are detailed below

Lack of detail

- Concerned about the lack of detail given as to the type of raw materials to be used and the processes involved.
Comment: see 'The Proposal' for details of the materials to be processed, based on information submitted by the applicant.
Applicants Response: A meeting was held with representatives of Community Council to discuss and provide additional information following which, the Community Council agree the proposal will not adversely affect the local environment. In a letter from Community Council, they indicate that they have been reassured that matters are being given appropriate consideration by the Council, SEPA and the applicants.
- Given the past history associated with problems at the landfill site, it is considered that safeguards must be built in to any approval, to ensure the local community will not be adversely affected by the proposals.
Comment: No adverse impact on the local community is identified from discussion and consultation. In correspondence with the applicant, the Community Council have considered the proposal will not have an adverse impact on the environment.

Conditional Withdrawal of Letter of Representation

- The Community Council welcomes the move towards recycling, it wishes to register an objection but would withdraw this objection if adequate controls were placed on development.
Comment: The application has been recommended for refusal.

Supporting Information

- Site is located some distance from any built up area so as not to cause disturbance to the immediate population.
- Site is located down wind of the prevailing wind direction, a plus point in respect of disturbance minimisation.
- Access to the site does not pass through a built up area, thus minimising disturbance and this is seen as a public safety advantage.
- Rural location improves site security as it is located away from built up areas.

- Site is located in proximity of the local authority landfill site. This is seen as an opportunity to capitalise on existing traffic travelling to and from the site in respect of materials to be utilised in the operation.
- Site is suitable due to large area of hard standing, thus limiting upgrading works and low establishment costs can be anticipated.
- Site is located in the vicinity of existing core business commitments.
- Operations require a large open area of ground.
- Operations will provide employment and being located in a rural area, this would have an advantageous affect on the area.

CONSULTATIONS

Environmental Protection, Direct Services - No objections - from discussion with applicant, the concept of the proposal is welcomed.

Environmental Health Manager, Development Services - No objection subject to compliance with relevant environmental health legislation and noise should not result in statutory nuisance under the 1990 Act. Contaminated Land informative to be appended to any decision notice.

Transportation Manager, Direct Services - No objections. Access should be taken from U8E, C16E, B9104 to A96 and A990. The U8E should be surfaced in 45mm asphalt for 25m either side of the centre line of new access.

SEPA - No objections subject to conditions relating to details of surface water run-off, opening hours, hours of operation on site, fencing and windows, the latter to be surfaced in an all weather material to minimise odour. Matters regarding external lighting and odour control could be controlled via the required Waste Management Licence.

Scottish Water - No objections. Private surface and waste water disposal arrangements to be made.

Building Control Manager, Development Services - Building Warrant required.