

## Speyside Glenlivet WARD 01\_07

10/00308/APP  
4th March 2010

**Erection of 3 new single storey steel framed clad bonded whisky warehouses on footprint of 3 existing bonded whisky warehouses to replace those damaged by excessive snow at Malcolmburn, Mulben, Keith, Moray, AB55 6YB for Chivas Brothers Limited**

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### **Comments:**

- Application is "major" development under approved Scheme of Delegation since it involves industrial development where the floor space exceeds 2000m<sup>2</sup>.

### **Procedure:**

- None.

### **Recommendation:      **Permit - Subject To The Following: -****

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. Prior to the commencement of development, a detailed survey of the chosen route for delivery shall be submitted to and approved by the Council, as planning authority in consultation with the Transportation Manager in order to determine the locations of structures (e.g. bridges) and street furniture affected by any construction and abnormal load vehicle movements. The applicant shall discuss and agree any roads improvements/strengthening required as a result of the survey prior to any movements of any construction and abnormal load traffic.
3. Prior to commencement of development a Traffic Management Plan shall be submitted to and approved by the Council, as planning authority in consultation with the Transportation Manager to show the methods of dealing with large delivery vehicles. This plan shall include vehicle swept path analysis and the methods of marshalling and manoeuvring at junctions on the public road network. No heavy construction traffic shall access the site via the minor and unclassified roads to the north and east of the site, namely the U13E Forgiehill Road (with the exception of the 120 metre stretch of this road between the U49H Mulben-Malcolmburn Road and the access into the Malcolmburn Bonded Warehouses), C45H Rumbuch-Wood of Mulderie Road, U46H Bogbain-Mulderie Road and the C54H Crooksmill-Mulderie-Rosarie Road.
4. The applicant must run 'before and after' condition video surveys of the proposed delivery route along with the surrounding minor roads (listed above) where construction traffic is prohibited, provide a copy of the survey to the Council, as planning authority, in consultation with Moray Council Transportation (Traffic) and make good any damage which may be caused to the road network, including the verge, as a result of the construction traffic and passing vehicles.

5. Prior to the commencement of development details shall be submitted to the Council, as planning authority, in consultation with the Moray Council Consultancy - Bridges Section, the Moray Council Roads Maintenance Manager (East) and Network Rail (as the owners of the railway bridge) regarding a dilapidation survey of the C49H/10 Dalmany Bridge and the C49H/20 Mulben Railway Bridge. The survey shall be undertaken in consultation with the Moray Council Consultancy - Bridges Section, the Moray Council Roads Maintenance Manager (East) and Network Rail (as the owners of the railway bridge). A dilapidation survey shall also be undertaken at the end of the construction period and the applicant shall make good any damage which may be caused to the two bridges as a result of the construction traffic.
6. The new accesses onto the U13E Forgiehill Road for the proposed site compound shall have visibility splays of 4.5m x 120m in both directions.
7. The new accesses shall be kerbed to a minimum radius of 15m using 254mm x 127 h.p.c.c. kerbs.
8. The proposed new accesses shall be surfaced using Hot Rolled Asphalt for a minimum distance of 15 metres, if the accesses are not to be constructed to adoptable road standard.
9. A 50 metre length of Hot Rolled Asphalt shall be provided on the U13E Forgiehill Road, 25 metres either side of the centreline of the existing access into the bonded warehouses, over the entire width of the road.
10. A 50 metre length of Hot Rolled Asphalt shall be provided on the U13E Forgiehill Road, 25 metres either side of the centreline of the proposed new southern access into the site compound, over the entire width of the road.
11. Prior to the development commencing a scheme for appropriate road signs at the proposed site compound access junctions shall be submitted to and approved by the Council, as planning authority in consultation with Moray Council Transportation (Traffic).
12. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.
13. Any existing ditch, watercourse or drain under the site access shall be piped using a suitable diameter of pipe, in agreement with the Moray Council Transportation (Roads Maintenance Manager). Any pipe shall be laid to a self-cleansing gradient.
14. Prior to the commencement of any works, a full site specific Environmental Management Plan (EMP) must be submitted for the written approval of the planning authority in consultation with SEPA, SNH and other agencies, where appropriate and all work shall be carried out in accordance with the approved plan within the time scales/stages stipulated. The EMP shall include full details of pollution prevention and mitigation measures for the construction and demolition elements potentially capable of giving rise to pollution during all phases of demolition and construction.

15. Surface water run-off shall be dealt with according to the Drainage Design Statement (dated 24 April 2010) as agreed with SEPA and shall be fully operational by the completion of development.
16. The colour of the external walling and roofing shall be in Merlin Grey (BS ref. 18B25).
17. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.
18. Prior to work commencing on site the applicant shall complete the attached notification of initiation of development and submit it to the local planning authority.
19. Upon completion of the development or as soon as practicable after doing so the attached notification of completion of development shall be completed and submitted to the local planning authority.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 58(i) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.
2. In the interests of road safety.
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11. In the interests of road safety.
12. In the interests of road safety.
13. In the interests of road safety.
14. To control pollution of air, land and water.

15. In order to ensure adequate provision in this respect and avoid potential problems from flooding elsewhere.
16. To avoid being visually intrusive.
17. In order to ensure that there are no unauthorised departures from the approved plans which could adversely affect the development or character and amenity of the surrounding properties and area.
18. To ensure that the planning authority is aware that development is about to commence and any suspensive conditions can be followed up.
19. To ensure that the planning authority is aware that the development is complete and is able to follow up any conditions.

**List of Informatives:**

THE TRANSPORTATION MANAGER, DIRECT SERVICES, ACADEMY STREET, ELGIN has commented that: -

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Construction Consent for the roads will be required under Section 21 of the Roads (Scotland) Act 1984 for works to the public road.

The applicant shall be responsible for ensuring that surface/ground water does not run from the public road into his property.

The applicant shall ensure that their operations do not adversely affect any Public Utilities, which should be contacted prior to commencement of operations.

The applicant shall meet all costs of removal and re-erection of road signage, which may be required as a result of the delivery of any abnormal loads.

The applicant shall free and relieve the Roads Authority from any claims arising out of his operations on the road or extension to the road.

The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the Roads Authority prior to work commencing on it.

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

Bridges and Structures - The developer must contact Neil Fotheringham, Senior Engineer, Moray Council Consultancy at Academy Street, Elgin - Tel (01343) 562542 to discuss his proposals.

Traffic Management - The developer must contact Andy Duff, Senior Engineer Traffic Section at Academy Street, Elgin - Tel (01343) 562537 to discuss his proposals.

Roads Construction Consent - The developer must contact Iain Robertson, Senior Technician at Academy Street, Elgin - Tel (01343) 562518 to discuss his proposals.

Roads Drainage - The developer must contact the Roads Authority Roads Maintenance Manager (East) at Ashgrove Depot, Elgin - Tel (01343) 557300, Ext. 7325 to discuss the proposals.

NETWORK RAIL has commented as follows:

The developer must contact Stewart Lothian of Network Rail - Tel 0141 555 4210 to discuss his proposals.

Comments received from SCOTTISH WATER are attached for your information.

THE ENVIRONMENTAL HEALTH MANAGER, DEVELOPMENT SERVICES, has commented that: -

The premises will require to comply with the Health and Safety at Work etc Act 1974 and the Workplace (Health, Safety and Welfare) Regulations 1992.

Responsibility for enforcing health and safety in this particular premises rests with the Health and Safety Executive, Lord Cullen House, Fraser Place, Aberdeen.