

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 13 DECEMBER 2022

PROPOSAL OF APPLICATION NOTICE – LAND WEST OF BRECHIN BUSINESS PARK,
BRECHIN

GRID REF: 358136: 760126

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

Abstract: This report advises Committee that a Proposal of Application Notice (PAN) (ref: [22/00753/PAN](#)) has been submitted in respect of a major development for a rural mobility hub comprising bio compressed natural gas (CNG) and green hydrogen refuelling station, recharging station for electric vehicles, last mile logistics facility (class 6); drone services facility and employment development plots for business (Class 4), general industry (Class 5) and storage and distribution (Class 6) and associated access, roads, parking, engineering works and landscaping on land west of Brechin Business Park, Brechin. Committee is invited to identify issues which it would like to see addressed in the planning application that is subsequently submitted.

1. RECOMMENDATION

It is recommended that committee notes the key issues identified at this pre-application stage and advises of any other issues it considers should be addressed in the planning application that is subsequently submitted.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained in the Angus Local Outcomes Improvement Plan and Locality Plans: -

- Safe, secure, vibrant and sustainable communities;
- A reduced carbon footprint; and
- An enhanced, protected and enjoyed natural and built environment.

3. INTRODUCTION

3.1 At its meeting on the 19 June 2014, council approved a guidance note on the role of Councillors in pre-application procedures in respect of national and major planning applications (report 275/14 refers). A key element of that guidance note requires officers to present a report to committee when a PAN is submitted. Such a report will set out what are considered to be the key considerations in the determination of any subsequent planning application and will allow Members the opportunity to identify any additional issues that they consider should be addressed when a planning application is submitted.

3.2 A PAN (ref: [22/00753/PAN](#)) has been submitted which indicates that an application for planning permission is to be submitted for a rural mobility hub comprising bio compressed natural gas (CNG) and green hydrogen refuelling station, recharging station for electric vehicles, last mile logistics facility (class 6); drone services facility and employment development plots for business (Class 4), general industry (Class 5) and storage and distribution (Class 6) and associated access, roads, parking, engineering works and landscaping on land west of Brechin Business Park. The

proposed development site would measure around 18.6 hectares and the land mainly comprises agricultural land and land associated with Brechin Castle Centre. A plan showing the outline of the site on which the development is proposed is attached at Appendix 1.

- 3.3 The submitted PAN sets out the proposed pre-application consultation (PAC) which the applicant intends to undertake with the local community. The submitted information indicates that 2 in person public consultation exhibitions will be held at least 14 days apart between November 2022 and February 2023 and suggests that the venue, dates and timings will be agreed with the community council. The PAN states that notification has been sent to the City of Brechin Community Council and Inveresk Community Council, as well as local councillors. The applicant has been advised to carry out additional consultation activity including the hosting of an accessible project website and notification of the public events to parties who reside close to the site.
- 3.4 The applicant's agent has been advised that a planning application cannot be submitted prior to 27 January 2022 (the date 12 weeks from the submission of the valid PAN).
- 3.5 The results of the community consultation will be submitted with any subsequent major planning application in the form of a PAC Report as required by Development Management Regulations.

4. DISCUSSION

- 4.1 Committee is aware that planning legislation requires decisions in respect of planning applications require to be made in accordance with the development plan unless material considerations indicate otherwise. In this respect a number of policies in [TAYplan](#) and in the [Angus Local Development Plan \(ALDP\)](#) will be relevant to the proposal.
- 4.2 The majority of the site is allocated in the ALDP for employment development including tourist and roadside services related uses complementary to the existing gateway facility at Brechin West (B6 Working – Brechin West) as follows:

B6 Working – Brechin West

27 ha of land at Brechin West is allocated for employment development including tourist or roadside service related uses complementary to the existing gateway facility at Brechin Castle Centre and an extension to Brechin Business Park for Class 4 (business), Class 5 (general industry), and Class 6 (storage and distribution) uses.

Development proposals should be in accordance with the development brief which will be prepared for the site and should include:

- justification for the scale and location of the Business Park extension;*
- retention of existing landscape features and provision of structural landscaping to help integrate development into the existing landscape, define development zones and extend green network provision;*
- provision of an internal link road between the Business Park extension and Brechin Business Park. Vehicular access to any tourist related development from the existing Business Park/Business Park extension will not be permitted;*
- high quality design and boundary treatment adjacent to the A935; and*
- supporting information including a Flood Risk Assessment, Drainage Impact Assessment, Sustainable Drainage and Surface Water Management Plan and a Transport Assessment to establish access and associated transport infrastructure requirements.*

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of the River South Esk SAC, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

- 4.3 Employment related development also falls to be considered under the provisions of policies TC14 and TC15 in the ALDP which state:

Policy TC14: Employment Allocations and Existing Employment Areas

Within employment land allocations and existing employment areas, planning permission will be granted for Class 4 (Business), Class 5 (General Industry) and Class 6 (Storage and Distribution) uses. In these locations, other uses may be supported if it is demonstrated that:

- The proposal is complementary or ancillary to an existing or proposed employment use; or*
- The loss of the site would not undermine the provision of employment land in Angus, or land which may be important to retain due to its individual characteristics, regardless of the amount of employment land available; and*
- The proposal would not undermine the operation of existing or proposed employment uses on the whole allocation or existing employment area; and*
- There is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and*
- If relevant, the proposal is in accordance with Policy TC19 Retail and Town Centre Uses.*

To meet the requirements of points 1, 2 and 3, evidence shall be submitted with the planning application to identify the length of time the site has been marketed for employment use; the forms of marketing undertaken; the inter-relationship of the site with adjacent employment land, and with strategic and local transportation infrastructure; and potential impacts of the future use and occupation of adjacent employment land.

Policy TC15: Employment Development

Proposals for new employment development (consisting of Class 4, 5, or 6) will be directed to employment land allocations or existing employment areas within development boundaries, subject to the application of the sequential approach required by Policy TC19 Retail and Town Centre Uses for office developments of over 1,000 square metres gross floorspace.

Proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:

- there are no suitable or viable sites available within an employment land allocation or existing employment area; or*
- the use is considered to be acceptable in that location; and*
- there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.*

Proposals for employment development (consisting of Class 4, 5, or 6) outwith development boundaries will only be supported where:

- the criteria relating to employment development within development boundaries are met;*
- the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and*

- *the proposal constitutes rural diversification where:*
 - *the development is to be used directly for agricultural, equestrian, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or*
 - *the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the location.*
- 4.4 Other policies in TAYplan and the ALDP will be relevant, including those that deal with matters such as accessibility, design, the use of prime quality agricultural land; protection of amenity; safeguarding of the natural and built environment (including sites protected for natural heritage value); the water environment; renewable and low carbon energy development; roadside services; aviation; and infrastructure provision.
- 4.5 NPF4 contains relevant considerations and the weight that is attached to its content will depend on the stage it has reached when the application is assessed. Scottish Planning Policy (SPP) will be relevant if it has not been replaced by NPF4, including the criteria it identifies for determining if a proposal contributes to sustainable development.
- 4.6 In these circumstances the key considerations in relation to the determination of a planning application will be whether the proposal complies with relevant development plan policies or whether there are other material considerations that justify a departure from relevant policies. The main considerations are likely to be the compatibility of the proposal with development plan policy and associated guidance having particular regard to the following matters: -
- justification for the scale and location of the business park extension;
 - suitability of the proposed access arrangements;
 - impact on amenity, including residential and recreational amenity;
 - environmental impacts associated with the proposal including potential impact on the River South Esk SAC, the retention and enhancement of existing landscape features and the green network;
 - high quality design and boundary treatment adjacent to the A935;
 - impact on infrastructure including flood risk and drainage arrangements;
 - impacts on aviation associated with the drone services facility;
 - built and cultural heritage impacts, including impacts on archaeological interests;
 - other material considerations including relevant local and national guidance and representations in support or objection to the proposal that raise relevant planning considerations.
- 4.7 Whilst other issues may emerge through the publicity and consultation process associated with any planning application, the above matters are considered to represent the main issues that should be considered at the pre-application stage that are likely to be determining factors for any subsequent planning application. However, Members are invited to identify any additional matters that they would wish to see addressed.

5. OTHER IMPLICATIONS

The human rights implications associated with the proposal will be considered in the determination of any subsequent major planning application for planning permission.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

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APPENDIX 1: SITE LOCATION PLAN

APPENDIX 2: PLANNING SERVICE PRESENTATION