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Argyll and Bute Council **Comhairle Earra-Ghàidheal Agus Bhòid**

Executive Director: Douglas Hendry



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19 October 2021

SUPPLEMENTARY PACK 2

PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE - BY MICROSOFT TEAMS on WEDNESDAY, 20 OCTOBER 2021 at 10:30 AM

I enclose herewith a supplementary report for **item 7** on the Agenda for the above meeting.

Douglas Hendry
Executive Director

SUPPLEMENTARY REPORT

- 7. ARDNAHOE DISTILLERY COMPANY LTD: ERECTION OF WHISKY MATURATION WAREHOUSES AND ASSOCIATED WORKS: ARDNAHOE DISTILLERY, PORT ASKAIG, ISLE OF ISLAY (REF: 20/02337/PP) (Pages 3 - 4)**

Report by Head of Development and Economic Growth

Planning, Protective Services and Licensing Committee

Councillor Gordon Blair	Councillor Rory Colville (Vice-Chair)
Councillor Mary-Jean Devon	Councillor Audrey Forrest
Councillor George Freeman	Councillor Kieron Green
Councillor Graham Hardie	Councillor David Kinniburgh (Chair)
Councillor Donald MacMillan BEM	Councillor Roderick McCuish
Councillor Jean Moffat	Councillor Alastair Redman
Councillor Sandy Taylor	Councillor Richard Trail

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**Argyll and Bute Council
Development and Economic Growth**

Delegated or Committee Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 20/02337/PP
Planning Hierarchy: Major
Applicant: Ardnahoe Distillery Company Ltd
Proposal: Erection of whisky maturation warehouses and associated works
Site Address: Ardnahoe Distillery Port Askaig Isle Of Islay PA46 7RN

SUPPLEMENTARY REPORT NO. 1

1.0 INTRODUCTION

Since the publication of the officer's report of handling SEPA has provided comment in relation to the potential storage of hazardous substances under the Control of Major Accident Hazards (Amendment) Regulations 2005 (COMAH) and a lack of detail on the procedural, design and modelling that needs to be addressed prior to the commencement of works. Although these matters would ordinarily be addressed under a separate application for Hazardous Substances Consent and building warrant discussions with SEPA have confirmed that the resolution to their concerns could result in necessary material changes to the planning application. For example, the building layout may need to alter to provide sufficient distance in the event of a fire, or the SuDS scheme may require an amended to the layout to ensure sufficient levels of treatment to contain a pollution event.

Therefore, officers consider it expedient to delay the determination of the application to allow the applicant to liaise directly with SEPA to resolve this issue.

2.0 SUMMARY OF POINTS RAISED

Scottish Environment Protection Agency (SEPA), 19th October 2021

SEPA has provided a holding objection and request further information as detailed below:

- Confirmation of the maximum storage capacities of all proposed warehouses. Following receipt and review of this information we will then assess if the proposal falls under COMAH or not. It appears that the quantity of flammable materials to be stored may bring this development under the auspices of the COMAH Regulations. The maximum storage capacities are not clearly stated within the information submitted on your planning page, hence requiring this information.
- Details such as the procedural, design, and modelling that will need to be addressed prior to construction to address issues such as site Suds in emergency situations to mitigate the potential impacts of a major accident to the environment. The emergency situations could be an uncontrolled release of the hazardous substance ethanol (whisky) or, during a fire event at the whole site area.

3.0 CONCLUSION

Given the holding objection from a statutory consultee, officers consider that this should be addressed prior to the determination of the application. SEPA has advised that it is unlikely that the issues raised are incapable of resolution under the terms of the current application but remain of the opinion that this should be address prior to determination.

4.0 RECOMMENDATION

It is recommended that this application be continued to allow the applicant to liaise directly with SEPA to resolve this issue.

Author of Report: David Love

Date: 18th October 2021

Reviewing Officer: Sandra Davies

Date: 18th October 2021

Fergus Murray
Head of Development and Economic Growth