

**Application to the relevant planning authority**

**The Planning (Hazardous Substances) (Scotland) Act 1997 - Section 5(1)**

**The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 (Regulation 6)**

**Application for Hazardous Substances Consent**

<b>1</b>	<b>Applicant</b>	BenRiach Distillery Company Limited
	Address	50 Lothian Square Edinburgh
	Post code	EH3 9WJ
	Telephone number	0131 456 6000
	<b>Agent acting on behalf of the applicant</b>	William Baxter
	Address	GlenDronach Distillery Forgue, Huntly
	Post code	AB54 6DB
	Telephone number	07927 587775

Correspondence (including any Notice) **to be sent to the agent** instead of the applicant? **Yes or No?**

No
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If the applicant is not the person in control of the land to which the application relates, provide details of the **person in control of the land**.

Lucas Avery - BenRiach Distillery Company Limited, 50 Lothian Square, Edinburgh, EH3 9WJ
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<b>2</b>	<b>Address or other location details of application site</b>	Glenglassaugh Distillery Portsoy, Aberdeenshire
	Post code	AB45 2SQ
	OS grid ref	NJ561658

### 3 Hazardous substance(s) covered by the application

(a) List named substances falling within Part 2 of Schedule 1 to the Regulations first, then list any substances falling within the categories in Part 1 of that Schedule; finally list substances falling within the description in Part 3.

(b) Substances falling within Parts 1 or 3 of Schedule 1 to the Regulations may be listed under the relevant category or description or named specifically. Where a substance falls within Part 1 and 2 list under Part 2 only; where a substance falls within more than one category in Part 1 list under the category which has the lowest controlled quantity. Where a substance falling within Part 1 or 2 also falls within Part 3 list under the Part which has the lowest controlled quantity. The “controlled quantity” means the quantity specified for that substance in column 2 of Parts 1, 2 or 3 of Schedule 1 to the Regulations.

Table A

<i>Name, or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Do you have a current PHS consent* in respect of this substance? (Yes/No)</i>	<i>If “yes”, state quantity for which consent granted</i>	<i>Maximum quantity proposed to be present in tonnes</i>
Ethanol/water (distilled spirit) max. 68% ABV – ‘whisky’ for maturation	Part 1, P5c	Yes 1979/03/02/2000/N	6,411	16,455
Ethanol (alcoholic beverage held at its boiling point)	Part 1, P5b	Yes 1979/03/02/2000/N	21	21

\*a hazardous substances consent

[1] Ethanol (alcoholic beverage held at its boiling point) P5c – Total volume (Bulk).

- Warehouse 1 (Existing Warehouse): Cask storage capacity 2,500 barrels at 200ltrs per barrel = 500m<sup>3</sup>
- Warehouse 2 (Existing Warehouse): Cask storage capacity 9,100 barrels at 200ltrs per barrel = 1,820m<sup>3</sup>
- Warehouse 3 (Existing Warehouse): Cask storage capacity 7,700 barrels at 200ltrs per barrel = 1,540m<sup>3</sup>
- Warehouse 4 (Existing Warehouse): Cask storage capacity 8,550 barrels at 200ltrs per barrel = 1,710m<sup>3</sup>
- Warehouse 5 (Existing Warehouse): Cask storage capacity 7,000 barrels at 200ltrs per barrel = 1,400m<sup>3</sup>
- Warehouse 6 (Existing Warehouse): Cask storage capacity 1,150 barrels at 200ltrs per barrel = 230m<sup>3</sup>
- Warehouse 7 (New Warehouse): Cask storage capacity 41,608 barrels at 200ltrs per barrel = 8,322m<sup>3</sup>
- Warehouse 8 (New Warehouse): Cask storage capacity 14,800 barrels at 200ltrs per barrel = 2,960m<sup>3</sup>
- Total (Existing Warehouse): 7,200m<sup>3</sup>
- Total (New Warehouse): 11,282m<sup>3</sup>
- Total: 18,482m<sup>3</sup>

Tonnage calculation: Ethanol with a spirit volume concentration of 68% at 20 °C = 890.38 kg/m<sup>3</sup>

- Total (Existing Warehouse) Te: 7,200 x 890.38 = 6,411 tonnes
- Total (New Warehouse) Te: 11,282 x 890.38 = 10,045 tonnes
- Total Te: 18,482 x 890.38 = 16,456,003.2 kg = 16,456 tonnes

#### 4 Manner in which substance(s) are to be kept and used

For each substance, category or description of substance, covered by the application, provide the following information, referring to the substance location plan where appropriate.

“vessel” means any container designed or adapted to contain hazardous substances which is affixed to the land, and includes a container which forms part of plant or machinery which is affixed to the land but does not include a pipeline.

“Buried” or “Mounded” vessel includes a vessel which is only partially buried or partially mounded.

“moveable container” means any container designed or adapted to contain hazardous substances other than a vessel.

- (a) Tick one box below to show whether the substance(s) will be present for storage only or will be stored and involved in a manufacturing, treatment or other industrial process:

*Table B*

<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Storage only</i>	<i>Stored and involved in an industrial process</i>
Ethanol (alcoholic beverage)		X
Ethanol (alcoholic beverage held at its boiling point)		X

- (b) For each vessel to be used for **storing** the substance(s) give the following information:

Table C (i)

Vessel No*	Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3	Installed above ground† (Yes/No)	Buried (Yes/No)	Mounded (Yes/No)	Maximum capacity (cubic metres)	Highest vessel design temperature °C	Highest vessel design pressure (bar absolute)
Wash Still	Alcoholic Spirit P5b	Yes	No	No	13.4	>100	1
Spirit Still	Alcoholic Spirit P5c	Yes	No	No	7.4	>100	1
Low wines & Feints receivers	Alcoholic Spirit P5b	Yes	No	No	16.7	Ambient	1
Intermediate spirit receiver (ISR)	Alcoholic Spirit P5c	Yes	No	No	11,5	Ambient	1
SRWV 1	Alcoholic Spirit P5c	Yes	No	No	37.1	Ambient	1
VAT 3	Alcoholic Spirit P5c	Yes	No	No	5	Ambient	1
VAT 4	Alcoholic Spirit P5c	Yes	No	No	5	Ambient	1
VAT 5	Alcoholic Spirit P5c	Yes	No	No	3	Ambient	1
VAT 6	Alcoholic Spirit P5c	Yes	No	No	48	Ambient	1

\* identify by reference to substance location plan

† if "Yes", specify whether or not it will be provided with full secondary containment

(c) For each substance, category or description of substance, state the largest size (capacity in cubic metres) of any **moveable** container(s) to be used for that substance, category or description of substances:

Table C (ii)

Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3	Storage area on site*	Maximum capacity (cubic metres) of individual moveable containers
Alcoholic Spirit P5c	Warehouse 1 & 6 (Dunnage)	Warehouses contain a mixture of casks: <ul style="list-style-type: none"> <li>• 200 Ltr – Barrel</li> <li>• 250 Ltr – Hogshead</li> <li>• 500 Ltr – Butts</li> <li>• 500 Ltr – Puncheon</li> </ul>
	Warehouse 2,3,4,5 (Racked)	<ul style="list-style-type: none"> <li>• 200 Ltr – Barrel</li> <li>• 250 Ltr – Hogshead</li> <li>• 500 Ltr – Butts</li> <li>• 500 Ltr – Puncheon</li> </ul>
	Warehouse 7 & 8 (Palletised) Cell 1,2,3,4,5,6	<ul style="list-style-type: none"> <li>• 200 Ltr – Barrel</li> </ul>
	Spirit Tanker – Adjacent to filling store	<ul style="list-style-type: none"> <li>• 30,000 ltr Tanker</li> </ul>

\* identify by reference to substance location plan

(d) Where a substance, category or description of substance is to be used in a **manufacturing, treatment or other industrial process(es)**, give a general description of the process(es), describe the major items of plant which will contain the substance(s); and state the maximum quantity (in tonnes) which is liable to be present in the major items of the plant, and the maximum temperature (°C) and pressure (bar absolute) at which the substance, category or description of substance is liable to be present:

Table D

<i>Substance including Part no. in Schedule 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Description of process(es)</i>	<i>Major items of plant*</i>	<i>Max. quantity (tonnes)</i>	<i>Max. temp. (°C)</i>	<i>Max. pressure (bar absolute)</i>
Alcoholic Spirit P5b	Distillation (Batch Distillation)	Wash Stills x1	13.4	100	4
		Spirit Stills x1	7.4	100	4
Alcoholic Spirit P5c	Temporary Holding Tanks for spirit in process	Low wines & feints receivers in still house	16.7	Ambient	1
		Intermediate spirit receiver in still house	11.5	Ambient	1
Alcoholic Spirit P5c	Temporary Holding tank for spirit from process	Spirit receiving warehouse vat (SRWV)	37.1	Ambient	1
Alcoholic Spirit P5c	Temporary holding tanks for spirit ready to be being filled to cask	VAT3	5	Ambient	1
		VAT4	5	Ambient	1
		VAT5	3	Ambient	1
		VAT6	48	Ambient	1
Alcoholic Spirit P5c	Transfer to road tanker	HGV Tanker	30	Ambient	1

\* identify by reference to substance location plan

## 5 Additional Information

- (a) If you have an existing PHS consent(s) as referred to in Table A, **attach a copy of each consent** to this application.

Not applicable

(b) **List the maps or plans** or any explanatory scale drawings of plant/buildings submitted with this application (as a minimum submit a site map and a substance location plan – see **Notes** below).

- Glenglassaugh Distillery - Existing Site Layout and Photographs
  - Existing site layout prior to warehouse expansion. Drawing includes photographs from the site and various service routes
- Glenglassaugh Distillery - Distillery Site Plan & Substance Location – Proposed
  - Site and substance location plan following warehouse expansion. Detailing vessel location and cask tonnage
- Glenglassaugh Distillery – Location Plan
  - Site location plan 1:1250 scale with boundary
- Glenglassaugh - Proposed Warehouse Layout - Warehouse Plan View - Rev NR
  - Palletised warehousing strategy – plan view
- Glenglassaugh - Proposed Warehouse Layout - Warehouse Elevation - Rev NR
  - Palletised warehousing strategy – elevation view
- Glenglassaugh Distillery - Warehouse Expansion - Surface Water Layout
  - Surface water management layout

(c) Provide a brief overview description of the **main activities** carried out or proposed to be carried out on, over or under the land to which the application relates.

#### **Existing Site**

The distillery site comprises of a whisky production area, maturation warehouses, and a visitor's centre. The site has a capacity to produce approximately 1,000,000 litres of spirit for whisky maturation each year. The water for manufacturing is extracted from a spring rising in the hills to the south, where a small reservoir is located from which the manufacturing water is piped to the distillery. Cooling water is extracted from the Burn of Fordyce.

The site is a lower tier COMAH site due to storing more than 5,000 tonnes of alcohol. Spirit is stored across 6 existing warehousing locations with various cask types spread between dunnage and racked warehousing.

Monthly, spirit is disgorged from casks and transported by tanker to the Benriach distillery company's bottling hall to Newbridge on the outskirts of Edinburgh.

#### **New Warehousing Site**

The warehousing storage capacity at Glenglassaugh will increase with the construction of six 1,000m<sup>2</sup> warehousing cells for finished product per APP/2022/2232.

The additional warehouses will store palletised casks for maturation. The installation of the new warehouse does not involve any new substances when compared to the existing substances used / stored on site. Site remains within the lower tier COMAH threshold.

(d) Provide details of how each relevant substance is proposed to be transported to and from the land to which the application relates, for example the size and frequency of vehicle deliveries, the size or maximum flow rate of pipeline imports/exports.

Substance including Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3	How, and other details such as frequency and quantity, transported to and from the land to which the application relates	
	Transported to site	Transported from site
Alcoholic spirit (ethanol); P5c flammable liquids, Categories 2 or 3 not covered by P5a & P5b		Matured spirit will be filled into road tankers for transport to the bottling plant in Edinburgh. This operation will occur once per month
Alcoholic spirit (ethanol); P5c flammable liquids, Categories 2 or 3 not covered by P5a & P5b	Casks will be brought to the site from other distilleries and warehouses by road haulage. On average, x2 deliveries per week. Quantities up to 20 tonnes per delivery.	Casks will be despatched to other distilleries and warehouses by road haulage. On average, a x1 deliveries per week. Quantities up to 20 tonnes per delivery

- (e) Provide details of the vicinity of the land to which the application relates, where such details are relevant to the risks or consequences of a major accident (relevant details include numbers of people in neighbouring developments that could be affected by a major accident).

GlenGlassaugh Distillery is located approximately 2km west of Portsoy, approximately 0.5km east of Sandend, approximately 1.75km north-northeast of Fordyce, and approximately 4.5km west-west-south of Cullen. The Moray Firth lies directly north of the distillery, with a small bay located approximately 200m from the distillery buildings.

The land to the east, south and west of the distillery is rural being mainly arable fields. The Burn of Fordyce flows into the Moray Firth to the north of the distillery, flowing past the distillery to the east and then turning west to the north of the distillery, before crossing the beach to enter the Moray Firth in Sandend Bay.

There are 10 properties located in the immediate vicinity of the distillery site and detailed on the site plan. At the entrance of the main site, there are two dwellings where a total of four individuals resides. With exception of the site office and visitor centre buildings, the remaining houses are unoccupied.

- (f) Provide a brief overview of the measures taken or proposed to be taken to limit the consequences of a major accident.

All warehouses will be constructed with sprinkler protection and will be serviced by water storage tanks with the capacity to provide up to 4 hours of water deluge. Fire hydrants will be included in the external yards allowing the fire brigade to connect and utilise the stored water supply. In the event of a spillage or fire, each warehouse is connected to the SUDS pond to ensure any spirit loss to ground is contained in a managed location.

- (g) Where applicable, provide a statement that the proposal is a project or part of a project, that is subject to a national or transboundary environmental impact assessment or to consultations between Member States of the European Union in accordance with Article 14(3) of European Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances.



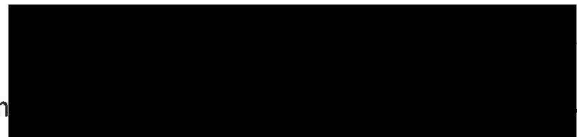
Not Applicable

(h) Give any further information which you consider to be relevant to the determination of this application.

(Will print as blank space if no further information provided)

I/We hereby apply for hazardous substances consent in accordance with the proposals described in the application

Sign



on behalf of ...Lucas Avery.....  
(insert name of person in control of the land if different to applicant)

Date .....23/11/2023.....

To be accompanied by the certificate completed in accordance with regulation 5(2) of the Regulations (notice to owner by applicant), and the fee payable under regulation 55 of the Regulations.

**Notes**

“**Site map**” is a map, reproduced from, or based on, an Ordnance Survey map with a scale of not less than 1:10,000, which identifies the land to which the application relates and shows National Grid lines and reference numbers.

“**Substance location plan**” is a plan of the land to which the application relates, drawn to a scale of not less than 1:2,500, which identifies-

- (a) any area of land intended to be used for the storage of the substance;
- (b) where the substance is to be used in a manufacturing, treatment or other industrial process, the location of the major items of plant involved in that process in which the substance will be present; and
- (c) access points to and from the land.