

# **AGENDA ITEM 7**

## **APPENDIX 2**

**PRE/2018/0019**

**PRE-APPLICATION ADVICE  
RESPONSE**

Planning Ref:	18/02012/PREAPP CNPA Ref. PRE/2018/0019 (CNPA)
Proposal Name	Glenbeg Distillery
Date of Meeting	30 May 2018
Date of Response	14 June 2018

## Response

### General and Policy Background

This proposal for a new distillery and associated infrastructure including ancillary visitors' accommodation will be considered in relation to the policies of the Cairngorms Local Development Plan (LDP) 2015 and associated supplementary guidance as well as any other material considerations that may apply including the National Park Partnership Plan and Scottish Planning Policy.

The LDP and associated guidance are available on this web link:

<http://cairngorms.co.uk/park-authority/planning/>

A key planning policy is Policy 2: Supporting Economic Growth which would in principle support this type of development subject to the case being made for the particular rural location- it is anticipated that in order to make this case information on the specific requirements of the development along with the site specific locational benefits of the site will be submitted. This support in principle is also subject to meeting all policies of the LDP in terms of servicing, design, siting, landscape, natural heritage and resources.

In terms of the visitors accommodation further information and justification will be required in accordance with Policy 2: Supporting Economic Growth (including an explanation of the purpose of the accommodation and how it will make a positive contribution to the experience of visitors and how it is compatible with existing business activity in the area).

### Landscape Impacts and Design

Policy 5 Landscape of the LDP sets out the need for new development to conserve and enhance the landscape character and special qualities of the National Park. Policy 3 Sustainable Design also sets out the design consideration to be taken into account.

Given the prominence of this location alongside the A05 trunk road and the outstanding views towards the River Spey here, the impact in the landscape will be a key consideration in assessing compliance with this policy. The importance of a high quality of design, setting and landscaping cannot be over emphasised. The initial sketch proposals indicate an understanding of this importance, but further development will be obviously be required and this should be informed by a detailed assessment of landscape characteristics and of the special landscape qualities of the National Park as they apply here. This will inform detailed siting and design. Further detail on the landscape issues and information requirements is provided in the attached comments of our Landscape Advisor.

### Environmental Impacts

Policy 4 Natural Heritage of the LDP requires that new development fully considers and as necessary mitigates impacts on designated and local sites, and Policy 10 Resources sets out key issues in

relation to resource use. SNH will be advising further on impacts on designated sites and the requirements which will be necessary to fully consider impacts on the River Spey Special Area of Conservation and SSSI and for the CNPA to carry out any Habitat Regulations Appraisals that may be required. Sufficient information will need to be submitted to enable such assessment to take place.

Our Ecology advisor advises that information will be required in with respect to a Phase 1 Survey to include protected species in particular Otter (both in terms of holts and use of river banks), Daubentons Bats close to the river in trees; badgers which are known to use farmland in the Strath and birds, particularly waders and any others on river banks, e.g. Sand Martins.

It is assumed that SEPA and the Highland Council Flood Prevention and Environmental Health Teams will be providing advice on any flooding, hydrology and drainage issues, including information on abstraction points, hydrology, existing water supplies etc. particularly given the site's location within a flood risk area. However there are also potential ecological issues arising from the water abstraction and water outflow in terms of the potential effect on low water on freshwater pearl mussels and salmon and any knock on effect of increasing water temperature from cooling water input back into the river. Similarly the impacts on these species in respect of the water outflow in terms of temperature and nutrient content. This will need to be fully considered and it is recommended that the Spey Fishery Board be contacted for advice at the earliest opportunity.

Finally we would highlight that the proposals provide an ideal opportunity to integrate SUDS for the disposal of surface water positively into the overall development to secure the maximum biodiversity and landscape benefits.

### **Public Access**

Policy 3 Sustainable Design of the LDP requires that new development maintains and maximises all opportunities for responsible outdoor access, including links into the existing path network. All developments to be consistent with the Core Paths Plan - The River Spey which adjoins the site is a core path. Consequently the relationship to core paths and the potential to further improve public access will require to be fully explored.

The development of this site adjacent to the A95 presents a fantastic opportunity to contribute and secure a section of a cycle path, something that has been a long term ambition of the Dulnain Bridge community and is featured in their community needs assessment. Providing a sustainable active travel link, for both visitors and staff, to this development from Grantown, and ideally Dulnain, would contribute to Park Plan priorities, Active Cairngorms priorities as well as the Highland Council's (draft) Local Transport Strategy that states...*"Through its Local Transport Strategy, the Highland Council seeks to enable and facilitate sustainable development and economic growth; support, include and empower communities through transparent decision-making, and establish an integrated transport network which supports safe and sustainable environments in which people can live, work and travel."* It goes on to state that there is need to promote active travel to support health and promote modal shift from vehicles to cycling and walking. Our steer on the location of such a cycle path link would be on the north side of the A95 with a suitable crossing at the entrance to the site.

The development of lodges close to the river does raise issues in respect of the exercise of access rights. The plans should include details on how the development will continue to facilitate access to those wishing to walk along the north river bank. Ideally the site boundary should not incorporate the river bank and it should be made clear to the developer that the privacy zone of the lodges should not extend to the river bank.

There is also potential to consider public access in terms of the ongoing proposals to extend the steam railway from Aviemore to Grantown and it is understood that the applicants are aware of these proposals and in touch with the Strathspey Railway Trust in this regard

### **Transport**

Policy 3 Sustainable Design of the LDP requires that new development is satisfactorily accessed. Transport Scotland will of course be commenting on this aspect but we would take also highlight the

need to consider the potential to tie up with proposals by the Strathspey Railway Trust to extend the steam railway to Grantown and the requirement this will have to cross the A85, and how this may relate/present opportunities for the current distillery proposals given that they are all at pre- application stage. The applicants' intention to contact the Railway Trust is therefore welcomed in this context.

### Amenity

Policy 3 Sustainable Design of the LDP requires that new development protect the amenity enjoyed by neighbours including minimisation of disturbance caused by access to the development site. In this regard potential noise issues will have to be fully considered and assessed as well as any issues relating to existing water supplies in the area. It is recommended that neighbouring proprietors are kept informed of the proposals and their input actively sought.

### Process

It is understood that this proposal will constitute a major application under the Scottish Government's hierarchy of development so appropriate pre application consultation with the community will require to be undertaken.

In addition the proposal will require to be screened to establish if Environmental Impact Assessment is required – the applicant will require to make such a request to the Highland Council who will consult with the Cairngorms National Park Authority (CNPA).

Any application would be submitted to the Highland Council for validation. Thereafter once valid, an application for this type and scale of development would be called in by the Cairngorms National Park Authority (CNPA) for determination as it constitutes a Type 1 development under our criteria for call in – more detail on this link:

<http://cairngorms.co.uk/wp-content/uploads/2016/02/151218PANApplyingForPlanningPermissionV22.pdf>

The CNPA would then offer a processing agreement setting out a timetable towards determination and identifying which Planning Committee it would be considered at. All applications determined by the CNPA are decided at Committee. The CNPA would welcome ongoing discussion on the proposals prior to submission of an application.

### Conclusion

In order to fully consider any application we will need full supporting information as set out below. Submission of a *complete* package of information will help to facilitate swift processing, avoiding the need for re consultation with other parties and importantly enable the public to comment fully. It will also avoid, in the event of the application being supported, the need for extensive use of "suspensive" planning conditions which would later hold up a start on site. Information set out below represents our initial assessment and we will of course be guided by the responses of consultees who it is expected will be seeking additional information.

Key Points	Assessments to be carried out and/or submitted with application
Detailed Plans	<p><u>All standard plans to be provided</u></p> <p><u>Site Sections</u> - to show existing, proposed and restored ground levels across the site. These should extend across the entire site from road to river to clearly show the final ground contouring and treatment. Sections should be across the site in both directions</p> <p><u>Plans, sections and elevations</u> showing all proposed built elements</p>

	<p>individually and collectively. Coloured up plans to illustrate finishes would be useful together with samples of finishes</p> <p><u>Design and Access Statement</u> – this is required for any major application and more advice on matters to be covered is available on the Scottish Government website. In terms of access this should fully address pedestrian, cyclists and other non-motorised users as well as vehicles and the relationship to the steam railway and adjacent core path at the River Spey. In terms of design it should cover the rationale and evolution of the design and include a sustainable design checklist as required by Policy 3 Sustainable Design. It should cover matters such as energy provision.</p>
<p>Landscape Impacts, Design and Siting</p>	<p><u>Landscape and visual impact assessment</u> (GLVIA edit 3)- This should be informed by site assessment, ZTV analysis and consideration of a number of visualisations. Locations for visualisations to be agreed with CNPA. The baseline for landscape character should be taken from the Cairngorms National Park LCA (2009):</p> <p><a href="http://cairngorms.co.uk/caring-future/cairngorms-landscapes/landscape-areas/">http://cairngorms.co.uk/caring-future/cairngorms-landscapes/landscape-areas/</a></p> <p><u>Special Landscape Qualities Impact Assessment</u> - consideration of the impacts of the development on the Special Landscape Qualities is order to consider compliance with policy. This assessment to be informed by the ZTV, visualisations and the assessment of landscape and visual effects. At the time of writing there is no published guidance on assessing the impact of development on Special Landscape Qualities but CNPA can provide interim guidance on request and examples of how this has been undertaken with other developments. The baseline for Special landscape Qualities should be taken from:</p> <p><a href="http://www.snh.org.uk/pdfs/publications/commissioned_reports/375.pdf">http://www.snh.org.uk/pdfs/publications/commissioned_reports/375.pdf</a></p> <p><u>Habitat-based landscape master plan</u>- to be informed by the landscape vision for the site which should be rooted in the conservation and enhancement of the special landscape qualities and the landscape characteristics which underpin these. Timing of landscaping and structure planting to be included with elements identified for early implementation particularly woodland structure planting and SUDS</p> <p><u>Tree survey, Arboricultural Impact Assessment and Tree protection plan</u> – which should be used to inform the siting and design of the development. It is noted that the only trees on site are on the edge of river or wet/flood areas so potentially trees will not affect design/layout too much.</p> <p><u>Detailed landscape plans with full planting / seeding specifications and objective-based landscape management plan and landscape maintenance schedule</u> - this information should clearly identify areas to be planted, species mix and density, protection and future maintenance.</p> <p><u>Mitigation Proposals</u> – to include any off-site enhancements relating to the experience of landscape and special landscape qualities and any</p>

	<p>environmental impacts.</p> <p><u>Visualisations</u> to demonstrate from various viewpoints how the proposed development will fit into the landscape. This could usefully include photomontages and visual sections suitable for presenting the proposals to the Planning Committee. The CNPA is happy to input to viewpoint selection.</p> <p><u>Lighting plan</u> for the whole development including visualisations from key viewpoints (to be agreed with CNPA) This should seek to minimising impacts at night on landscape receptors and biodiversity.</p> <p><u>Construction Method Statement</u> – to include a construction soil management plan covering a) Areas to be stripped and identifying likely volumes of topsoils, subsoils and rock, b) Methods and timings for turf stripping, soil removal, stockpiling, sustainable storage, replacement, re-profiling, de-compaction and re-use of vegetated soils. c) Location for stockpiles. It should also cover the role and responsibilities of the Environmental Clerk of Works, including monitoring of works, channels of communication, reporting schedule, post-completion</p>
Environmental Impacts	<p><u>Natural Heritage / Ecology Reports</u></p> <ul style="list-style-type: none"> <li>• Breeding bird surveys in particular wading birds and birds on river banks</li> <li>• Otter survey (both in terms of holts and use of river banks)</li> <li>• Bat survey including potential for Daubentons Bats</li> <li>• Phase 1 Habitat survey</li> <li>• Protected Species survey.</li> <li>• Information on water abstraction and outflow and consideration of any impacts on fresh water pearl mussels and salmon</li> <li>• Badger survey</li> </ul> <p>Species Protection Plans will be required to demonstrate how impacts will be avoided, reduced or mitigated for any protected species that are likely to be affected by the proposal.</p>
Drainage	<p><u>Hydrology and Flooding Reports</u> – SNH, SEPA and the Spey Fishery Board will advise in more detail on this aspect on the type of information required such as fish surveys, timing of any works in river, relationship to existing ditches, changes to flow rates and water levels, water quality, private supplies, flood risk assessment etc. This information will be required for any Habitat Regulations Appraisal.</p> <p>Monitoring and review processes together with details of the construction programme including timings and phasing. A Site Waste Management Plan should be included too.</p> <p><u>Drainage Impact Assessment</u>, including information on foul and surface water drainage arrangements. This should reflect the need for SUDS to be used to maximise biodiversity and landscape enhancements. Information on maintenance to be included. Site drainage plan - existing and proposed- should also be included</p>
Cultural Impacts	<p><u>Cultural Heritage</u> – consideration of any impacts upon listed building, ancient monuments and archaeological interest.</p>
Economic Impacts	<p><u>Economic Statement</u> – to explain the need for a rural location and economic benefits of the proposal covering matters such as</p>

	number/type of jobs created and any other relevant information such as economic benefits of the development to the wider area and the role and purpose of the accommodation.
Residential Amenity	<u>Noise Impact Assessment</u>
Transport Impacts and Public Access	<p><u>Transport Impact Assessment</u> - Transport Scotland and Highland Council Roads Service will advise on this aspect, but from our perspective we would expect to see information on anticipated vehicle numbers at both construction and operational stage and any mitigation measures proposed in respect of impacts identified on site and upon the surrounding roads network. Details of any visibility improvements and/or other roads works should be included with the submission.</p> <p>This should include consideration of the relationship with the Strathspey Steam railway.</p> <p>Any assessment should also consider non- vehicular movements, and the relationship to core paths in the area. It should also consider green travel initiatives (e.g. car sharing by workers, opportunities for staff to walk/cycle to work depending on their location, cycle racks etc.</p>
Pre Application Consultation with the community (PAC)	<p><u>Pre Application Consultation Report</u> as required by Scottish Government legislation explaining how the public consultation process has informed development of the proposal and the measures taken to inform the public. It is also recommended that,( aside from the neighbour notification process which will be carried out by the Highland Council), the developer advise residents in the area of the submission of the application in the interests of good practise and public relations as it is our experience that this type of proactive work is usually beneficial. It is recommended that this consultation include the Strathspey Railway Trust</p>

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**Interests affected by the proposal:**

**Designations**

Cairngorms National Park

**Landscape character, visual character and special landscape qualities**

**Landscape Character**

The site is rural farmland with the following Key landscape characteristics: glaciated landform, 18<sup>th</sup>/19<sup>th</sup> century pasture fields, settlement avoids the flood plain, riparian trees (alder and hawthorn), heavily grazed and poached along river bank. Wider landscape context is heavily wooded. For the relevant landscape character assessment information see [Landscape character area Craggan to GOS](#)

**Visual Character**

Views from the elevated A95 look across site and along the valley of the Spey towards the Cairngorms. Views from the Speyside Way look west across the river towards the site.

The [CNP Views from The Road work \(2011\)](#) states “Beyond Spey Bridge, dramatic views are available to the south, taking in the central mountains in a grand panorama. Great spatial depth is apparent in these views, particularly to the west where views along Strathspey are available.

Key Views:

*A95 South A - Long, framed views along the running River Spey to the high central mountains in the distance at the end of the strath from Spey Bridge, where the first glimpse of the central mountains are afforded.*

*A95 South B - Views taking in the broad, open strath with the central massif rising dramatically on the horizon to south of Grantown-on-Spey.*

**Special Landscape Qualities**

The landscape character of this area underpins a number of the National Park’s special landscape qualities. The following are the most relevant to this site.

- A landscape of layers from inhabited strath to remote uplands
- Landscapes both cultural and natural
- Unifying presence of the central mountains
- Broad farmed straths
- Renowned rivers
- Light and airy birch woods
- Dark and venerable pine woods
- Parkland and policy woodlands
- Grand panoramas and framed views



### **Appraisal of impacts:**

The proposal is for a distillery with ancillary plant, external process tank, warehousing, hard standings, SUDS pond, visitor centre, conference facility, offices, bottling site, roads and all necessary and associated infrastructure.

Landscape and visual impacts will arise from the location, siting and design of the component parts of the development on the site, both individually and collectively. In considering the development further the applicant should take account of the following.

### **The Design Process**

#### **1. A Landscape Vision and Objectives**

Though the site is close to Grantown on Spey, the town is enclosed within woodland and is not visible from the site or its approaches along the A95. Any development on this site will have a marked change on the agricultural landscape. Any development here should be designed to have a positive effect on the sense of arrival and landscape setting of Grantown and enhance the landscape of the strath. The vision and objectives for the whole-site landscape design (the buildings and the landscape context) should be rooted in the conservation and enhancement of the special landscape qualities and the landscape characteristics which underpin these.

The landscape vision and objectives should be clearly stated at the outset and should have an influence on the design process. The survey and analysis of the landscape and biodiversity assets, sensitivities and potential should be manifest in the site layout and detailed landscape plans.

#### **2. The Timing of Landscape Change**

Elements of the landscape plan should be identified for early implementation, particularly woodland structure planting and SUDs. This will

- Create a landscape context for development
- Demonstrate good stewardship
- Reduce the overall impact of construction
- Protect soils and biodiversity

### **The Assessment Process**

The following should be included within the ES

#### **1. Landscape and visual impact assessment**

A landscape and visual impact assessment (GLVIA edit 3) should be undertaken of the proposed development. This should be informed by site assessment, ZTV analysis and consideration of a number of visualisations. Locations for visualisations to be agreed with CNPA.

The baseline for landscape character should be taken from the Cairngorms National Park LCA (2009) <http://cairngorms.co.uk/caring-future/cairngorms-landscapes/landscape-areas/>

#### **2. Special landscape qualities impact assessment**

Understanding the special landscape qualities (SLQs) and how they are impacted upon by a proposal is a necessary part of undertaking the policy tests (in the CNP LDP, CNPPP and SPP).

The ES should include a consideration of the impacts of the development on the SLQs experienced in the area sufficient for the policy tests to be undertaken. This assessment will be informed by the ZTV, visualisations and the assessment of landscape and visual effects. At the time of writing there is no published guidance on assessing the impact of development on Special Landscape Qualities but CNPA can provide interim guidance on request.

The baseline for Special landscape Qualities should be taken from [http://www.snh.org.uk/pdfs/publications/commissioned\\_reports/375.pdf](http://www.snh.org.uk/pdfs/publications/commissioned_reports/375.pdf)

### Supporting Information

Information would be required to be submitted with any application in order to ascertain if development meets the requirements of CNP LDP Policy 5, CNPPP policy 1.3 and the SPP. In addition to the LVIA and SLQ impact assessments referred to above the following would be required;

1. Site layout plans
2. Plans and sections for ground works showing existing, proposed and restored levels
3. Plans, sections and elevations showing all proposed built elements individually and collectively
4. Tree survey, Arboricultural impact assessment and tree protection plan for the site
5. Site drainage plan existing and proposed
6. Construction Method Statement including
  - A construction soil management plan covering a) Areas to be stripped and identifying likely volumes of topsoils, subsoils and rock, b) Methods and timings for turf stripping, soil removal, stockpiling, sustainable storage, replacement, re-profiling, de-compaction and re-use of vegetated soils. c) Location for stockpiles
  - The role and responsibilities of the Environmental Clerk of Works, including monitoring of works, channels of communication, reporting schedule, post-completion monitoring and review processes
  - Construction programme including timings and phasing
7. Habitat-based landscape master plan
8. Detailed landscape plans with full planting/seeding specifications
9. Lighting plan for the whole development including visualisations from key viewpoints (to be agreed with CNPA)
10. Objective-based landscape management plan and landscape maintenance schedule
11. Off-site enhancements relating to the experience of landscape and special landscape qualities

### **Assessment in relation to area of expertise in the event of the submission of a planning application:** (place an X in the boxes that apply)

	The development raises no issues in relation to XXXXXX e.g. landscape
<input checked="" type="checkbox"/>	The development would have a significant impact on landscape character and special landscape qualities but has the potential to be addressed by careful design and appropriate mitigation
	In the event of planning permission being granted, conditions are required to address XXXX
	The development raises issues in relation to landscape that are not capable of

	resolution
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