

AGENDA ITEM 6

APPENDIX 3

2014/0232/DET

APPLICANTS RESPONSE TO REPRESENTATIONS

2014/0232/DET – The Glen Livet distillery

The enclosed is a comprehensive response to the points raised by members of the public during the Consultation stage of the above application.

Siting of New Process Building/Landscape Impact

Several site options were explored by the applicant and it was felt that all the other site options placed the building too prominently within the landscape and too close to neighbouring properties. It was felt that the option which forms the basis for the current design was the most straightforward in terms of safety, phasing and used the existing topography and warehousing to absolutely minimise the impact of the building within the landscape. The Landscape and Visual Impact Assessment considers the impact of the proposals in terms of impact on the existing landscape, and key views into the site and was developed after extensive consultation with the CNPA including the key views into the site from the surrounding countryside and residencies which they considered to be important. The Landscape and Visual Impact Assessment revealed that the building and associated works will have minimal impact on the overall integrity of the landscape and as such we do not believe it is contrary to the aims and objectives of the National Park. The new process buildings will be partly visible from the properties to the south which given their former original use as Distillery Housing are immediately adjacent to The Glenlivet Distillery Site. However this will be mitigated by sinking the building up to 4m into the ground at the south end complimented by ground shaping, the existing mature trees and new planting of indigenous tree species to maximise screening.

Light Pollution

External Lighting has been extensively modelled to minimise light pollution by lowering the fixture height, reducing the numbers to lights required and using low light pollution LED lights. In addition the applicant intends to role this model out across the whole of the existing site including the existing delivery bays to the south of the existing facility to significantly reduce *existing* levels of light pollution and achieve an overall net reduction in site light pollution compared to existing light levels. In addition, existing lights will also be re-angled to face downwards to reduce light spillage to adjacent properties.

Noise

The noise level from the existing site has been demonstrably reduced in the past 2 years and this has been measured and confirmed by Moray Council. The noise report also demonstrates that with the mitigation in place there will be no increase in current noise levels.

The calculations in the noise report also use the existing site noise background level which is the worst case. The existing Livet Feed building is being fitted with insulated cladding and acoustic louvres to substantially reduce noise breakout and the existing cooling towers are being moved

to the new site and further away from nearby residential properties. These measures will further reduce the background noise level from the existing site.

There shall also be further improvements as the malt lorry deliveries to the existing site will no longer pass the houses to the south of the distillery as they will be routed through the new site.

The new Process Building will be fitted with acoustic louvres and noise generating machinery will be housed in specially designed acoustic chambers.

Traffic/Road Safety

Traffic can and is very emotive and to remain objective we rely on the guidance and standards laid down by National, Scottish and Local Governments. The Moray Council Local Transport Strategy report contains historic traffic flow data for a number of routes within Moray. Inspection of this information shows that the traffic flow on the A95(T) at Ballindalloch is circa 2266 vehicles (24 hr. 5 Day Average 2 Way). We confirm a revised level (and reduced) level of anticipated HGVs as currently 44 per day increasing to 80 HGV's per day. The increase in total traffic arising from the proposal would only result in a 3% increase on this route. Similarly the Local Transport Strategy shows that flows on the B9008 at Mill of Tommore (1km. East of the A95) are circa 741 vehicles per day and therefore the development would result in an 10% increase in traffic. This would be classed as insignificant/slight by both the guidance provided by The Institution of Highways and Transportation (now the Chartered Institute of Highways and Transportation) and the Department of Transport's Manual for Environmental Assessment guidance.

Redesign/improvement of C57H, junction with B9136 / junction with the B9008/Craggan Brae: These items are subject to ongoing discussions with Moray Council Roads.

Proposed new Access to Distillery: This is part of an overall site strategy of removing and reducing the number of access points into the site along this length of the C57H to improve overall safety and amenity. Included in this strategy is the consolidation of much of the site access to a new road towards the north end of the site thereby allowing the Applicant to completely remove the current HGV access entering the site between 2 houses at the south end. Following discussions with Moray Council this proposed new access road was moved South away from the existing bend on the C57H to its current proposed location. This follows a speed survey by Moray Council which ascertained that the 85th percentile speed for traffic approaching from the bend to the North was 30mph. The proposed junction design delivers 4.5m x90m visibility splays in both Northbound and Southbound directions which is consistent with Moray Council standards.

Water Extraction/Quality

Currently water abstraction for the distillery takes place upstream of the discharge point. Our proposals will reflect best practice and alter this to abstract any additional water needs downstream of the discharge point. Overall there will be only a small increase in the net loss to the Livet along this stretch of the River.

The current proposals include replacing the existing Bio Plant adjacent to the River Livet. The current plant is at the end of its life and would have been replaced regardless, hence the inclusion of a more modern, larger and reliable plant in the project.

Chivas Brothers have summarised the changes in the overall water balance resulting from the proposed levels and locations used for abstractions and returns. These have been modelled alongside the impact of discharge constituents in line with SEPA standards. The models show the changes will only use a proportion of the capacity available within the limits set by the agency in order to protect the good ecological status of the River Livet water body.

The river Livet is part of the Spey SAC, which necessitates an Appropriate Assessment of significant development proposals. The Cairngorms National Park Authority is the lead agency in this instance, taking advice from other competent authorities such as SEPA, SNH and the Spey Fishery Board. Chivas Brothers has facilitated a meeting to allow all the agencies the opportunity to discuss and consider the significance of any impacts from the development proposal on the ecological status and conservation objectives of the River Livet.

Private water supply: we note the concerns raised by the occupants of Blairfindy Keepers Cottage regarding their private water supply and would confirm that the proposals will have no effect on their private water supply.