
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

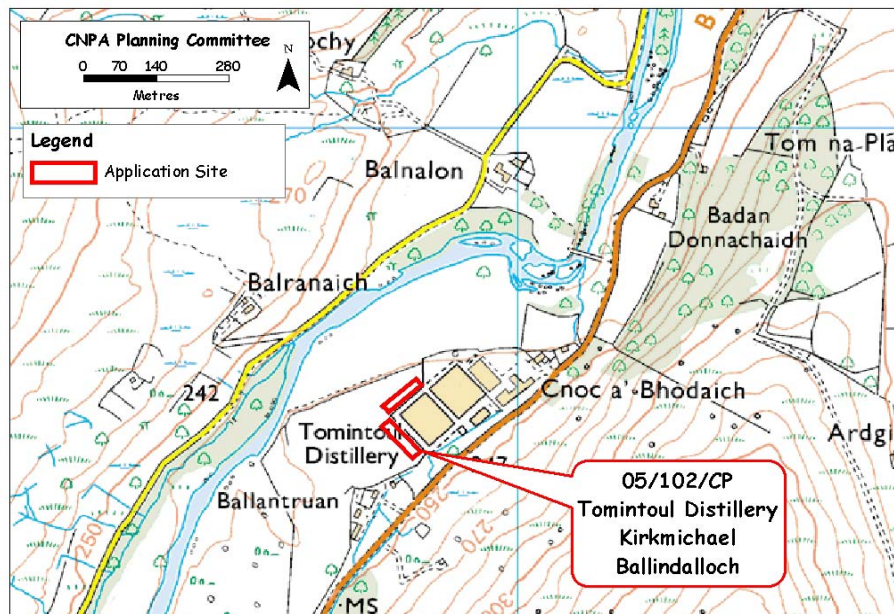
Prepared by: MARY GRIER (PLANNING OFFICER,
DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: PLANNING PERMISSION FOR THE
ERECTION OF 4 NEW WAREHOUSES AT
TOMINTOUL DISTILLERY,
BALLINDALLOCH, BANFFSHIRE.

REFERENCE: 05/102/CP

APPLICANT: ANGUS DUNDEE DISTILLERS plc.,
78 MARYLEBONE LANE, LONDON.

DATE CALLED-IN: 11TH MARCH 2005



This map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office© Crown Copyright. Cairngorms National Park Authority, License# 100040965, 2004.

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The proposed application site is located adjacent to the existing Tomintoul distillery complex on the B9136 road from Tomintoul to Glenlivet. The overall distillery complex is served by two vehicular access points onto the B9136, with the main entrance being in the north easternmost area of the site primarily serving the main distillery building and offices, with a secondary entrance located at the south western extremity of the distillery complex. The latter access appears to be primarily used in connection with the existing warehousing on site, and is also the access intended to serve the current development proposal. In the western / south western area of the distillery complex there are three substantial blocks of warehousing units existing together with a number of other associated buildings and structures such as tanks. An existing private access road traverses around the rear of the existing warehouses and facilitates the circulation of vehicles on site internally.
2. The proposed development consists of four warehouses, each with a floor area of 975 sq. metres, to be erected on open agricultural land adjacent to the existing distillery complex. The proposed warehousing units are arranged in two pairs, with each pair having two linked units. One pair is proposed to the west (side) of the existing warehouses, whilst the other is proposed to the north (rear) of the warehouses. The proposed warehousing units have a ridge height of approximately 13.8 metres (similar in height to the warehouses existing adjacent) and a frontage that extends approximately 78 metres. The gabled side elevation is proposed to extend to 25 metres. An external finish of roughcast blockwork is proposed extending to 2 metres above floor level, with metal profile sheeting proposed on the remainder extending to eaves level and also proposed as the roofing material. The metal profile sheeting is detailed as being green in colour.



Fig. 2 : site of proposed warehouses as viewed from the B9136

3. The units are proposed on land that currently appears to be used for agricultural grazing purposes outside the existing distillery complex boundaries. The land is generally flat and is open and exposed and does not have the benefit of any natural screening. The rear boundary of the existing site is formed by a low wire fence boundary. The River Avon flows to the west of the surrounding fields, and beyond that the land rises to Creagan a'Chaise and the general upland area of the hills of Cromdale. Much of the roadside boundaries along the B9136 as it approaches the distillery complex have a significant growth of natural vegetation providing screening of the distillery complex from a distance. The benefits of that screening are of course lessened outside the main growth season of the spring and summer months. The views of the existing complex and the proposed site area from the north west and west are significantly more open, with a visual assessment submitted as part of the application documentation conceding that *"the existing distillery warehouses can be seen from the Braes of Cromdale opposite as stark white walls against the backdrop of trees to the south."*
4. Much of the land to the north west / west of the distillery complex and to the south east on the opposite side of the public road, is identified on neighbour notification maps as being part of the Crown Estate (Glenlivet). The nearest residential properties to the site are located a short distance from the westernmost entrance to the complex.



Fig. 3 : Existing residential development adjacent to the western entrance to the distillery complex

5. In the course of the assessment of this application, the issue of the need for the proposed warehousing units at this particular location was investigated with the applicants. It was indicated by Angus Dundee Distillers Plc that the key reason for choosing the site was to satisfy security and COMAH¹ requirements. The proposed warehouses are

¹ Control of Major Accident Hazards Regulations which came into force on 1 April 1999 and are amended by the Control of Major Accident Hazards (Amendment) Regulations 2005 from 30 June 2005. They implement Council

required for the storage of casks of grain and malt whisky during the process of maturing. Information submitted in support of the development proposal highlights the fact that there would be 24,000 cask movements annually between the proposed new warehouses and the on site blend centre and it is suggested that the provision of this on site storage facility would eliminate 240 heavy goods vehicle movements per annum which would be necessary in the event of off site storage being utilised.

6. Information submitted in the course of this application indicates that the proposed warehouse facility would create two new full time positions, with the possibility of occasional temporary work depending on the workload. The employment record of Angus Dundee Distillers Ltd in the operation of Tomintoul distillery is also referred to, with the company accredited as being the largest full time employer in the Tomintoul area, where the full time workforce at the distillery has been increased by 33% since the company purchased it in 2000.
7. The warehouses are proposed to have a finished floor level at the 9.10 metre contour line, similar to the finished floor level of the existing adjacent warehouses. However, due to the difference in ground levels the achievement of the proposed finished floor levels would necessitate some cutting in. Landscape details submitted in the course of this application propose the provision of raised river terrace areas and the provision of earth mounding and associated planting around the proposed site, using materials excavated from the site. The intention in creating 'raised river terraces' is to reflect the existing geography of the nearby River Avon. A detailed schedule of tree planting has also been submitted outlining the proposed provision of a large number of birch, scots pine, rowan, elders and holly, planted in groups of between 5 and 25 in the three mounds proposed to the side and rear of the proposed new warehouses, at planting heights of between 60 cm and 1.75 metres.
8. The lighting proposed is in the form of 70w metal halide lamps, that are to be mounted on the proposed buildings at intervals of 6 metres.

DEVELOPMENT PLAN CONTEXT

National Policy

9. **NPPG 15 on Rural Development** (superseded by **SPP 15 Planning for Rural Development** in February 2005) referred to the fact that Scotland has a rich diversity of rural landscapes of quality and rarity and that "diversity and quality are two assets that should not be diminished by inappropriate development." NPPG 15 set the policy

Directive 96/82/EC known as the Seveso II Directive, as amended by Directive 2003/105/EC and replaced the Control of Industrial Major Accident Hazards Regulations 1984 (CIMAH).

context within which applications for development in rural areas should be assessed. In terms of sustainable development it stated that rural communities should have opportunities to progress and improve their quality of life, and to sustain their local economies, while maintaining or enhancing the overall environmental quality of their respective areas. Whilst the benefits of economic development were advocated in para. 14 of NPPG 15, the importance of achieving a quality of development on the ground which respects the integrity of the built and natural environment was also stressed, with a particular requirement that development in rural areas is designed to a high standard in order to contribute to environmental quality.

10. Policy guidelines included in **NPPG 15** advised that consideration should be given to the extent to which new development should be allowed within the countryside, whether there is scope for conversion or re-use of existing rural buildings and also the impacts on the natural and built heritage.
11. **SPP 15 – Planning for Rural Development** came into effect in February 2005 and is based on research on the evaluation of NPPG 15. **SPP 15** encourages a “more supportive attitude towards ‘appropriate’ development whilst acknowledging and valuing the enormous diversity of rural Scotland.”
12. ‘Rural Accessibility’ is one of the issues of significance that is highlighted in SPP15, where it is stated that a key planning principle is to focus most additional housing, employment and other services at accessible locations. It advises that planning authorities can allow development where the impact of vehicle movements on the local road networks would not be significant.
13. Another factor highlighted in SPP15 is ‘Environmental Quality’. The quality of Scotland’s natural and cultural heritage is emphasised and it is described as a valuable national asset. The importance of fit and design of new development in the landscape is highlighted in conjunction with this, as is an acknowledgement that some parts of valued high quality environments “can accommodate certain types of development, where it can be demonstrated that there is no adverse environmental impact.” Specific reference is made in para. 29 of **SPP 15** regarding rural development within National Parks, and the four aims of the Parks are highlighted.
14. **The Moray Structure Plan 2001**
Policy S/ED1 sets out the general approach to economic development in the Moray area, where there is an emphasis on targeting “public and private sector resources into towns and established business areas while safeguarding the environment and making best use of infrastructure.”

15. The **Structure Plan** includes a detailed section on the Rural Economy and refers to the fact that there is a traditional, indigenous employment base situated outwith towns and villages, and the distillery industry is mentioned as an example of such. Reference is made to the importance of such activities in the context of local economies, due to the creation of employment opportunities and the potential contribution to the sustainability of rural areas and their communities. The Structure Plan advocates the attraction of small scale business operations in Moray “subject to securing the correct balance between encouraging economic growth and protecting the natural environment.” **Policy S/ED7** dealing with Rural Business states that “smaller scale business development, or extensions to existing indigenous industries, will be encouraged in the countryside subject to it being accessible in terms of infrastructure requirements and environmental considerations set down within the Local Plan.”
16. Chapter Two of the **Structure Plan** deals exclusively with the Environment, with section 3.5 setting out a number of basic aims, including the protection of the natural environment of nature conservation areas, landscaped and special areas of the countryside and the provision of a framework for a reduction in the risk of flooding. **Policy S/ENV1** summarises the **Structure Plan ‘Approach to the Environment’** which is to “conserve and enhance Moray’s environmental assets, and require that new development is sensitive to siting, location, and design considerations.”
17. Section 3.10 of the Plan alludes to the fact that there is a range of landscape character within Moray, some of which are designated as being of particular quality. The Cairngorms National Park designation is one such quality landscape. **Policy S/ENV3** states that “areas of scenic quality will be protected from inappropriate development and, where appropriate, enhanced according to their importance as national or local designations.
18. Another policy of significance in the context of the current development proposal relates to Surface Water Disposal. In the interests of better managing the effect of development on the aquatic environment, it is part of the Structure Plan policy as expressed in **Policy S/ENV8** that the Council will “promote the policy of Sustainable Urban Drainage (SUD), in consultation with SEPA.”

The Moray Local Plan 2001

19. The **Local Plan** in referring to Rural Business activity takes cognisance of the fact that there may be potential conflicts between business development in the countryside and the need for environmental protection, and advises that such conflict can be resolved by the application of sound principles governing siting, design and servicing arrangements for proposals.

20. **Policy L/ED15** of the **Local Plan** deals specifically with Rural Business Operations – “Recognising their role as traditional, established land uses in rural areas, proposals related to indigenous industries (e.g. agriculture, forestry including forest and timber products, distilling, fishing and food processing) will generally be supported in principle.”
21. The **Local Plan** policies on Landscape which are of relevance to the current proposal are detailed in **Policy L/ENV7 : Areas of Great Landscape Value – AGLV** and **Policy L/ENV8 : Light Pollution**. In relation to Areas of Great Landscape Value the Plan states that development will only be permitted where there is a high standard of siting and design in rural areas and where it would not have a significant adverse effect on the landscape character of the area. As regards light pollution, as detailed in policy L/ENV8, it is the policy of the Council where developments incorporate exterior lighting within rural communities and the countryside to require designs that minimise light spillage through use of low sodium lights, cut off lanterns or other such appropriate measures.
22. The **Moray Local Plan 2001** includes a detailed section in chapter 8 providing guidance for development occurring in rural areas, within which there is a strong emphasis on design including scale and colour, as well as general siting and traffic and landscape impacts (**Policy L/IMP2**).

CONSULTATIONS

23. **SEPA** were consulted in respect of the development proposal and in April 2005 requested the provision of further detailed information on surface water drainage, stating that any run-off from the site would be expected to be treated using Sustainable Urban Drainage Systems (SUDS) prior to any discharge to a water course. The required information was received from the applicants in August 2005 and in addition **SEPA** also engaged directly in discussions with Mr. Robert Fleming of Angus Dundee Distillers Plc.. Mr. Fleming apparently confirmed that it is proposed to dispose of run off from the proposed development “to a stirling pond to an infiltration basin with no high level overflow” and not a retention basin as shown on the drawings submitted. **SEPA** in their response to the Cairngorms National Park Authority have stated that this proposal is acceptable in terms of water quality.
24. In addition the response from **SEPA** also includes an advice note for the applicants attention, in which it is stated that the distillery establishment is authorised under the Control of Major Accident Hazards Regulations 1999 as lower tier. It is advised that the applicant will have to demonstrate to the Competent Authority (HSE and SEPA) that they have identified the hazards and reduced the risks to both man

and the environment associated with these warehouses to as low as reasonably practicable.

25. Due to the nature of the activity that the proposed development is associated with, the **Health and Safety Executive** (HSE) was a statutory consultee. Following consideration of the proposal and consideration of the development using HSE's assessment methodology, the consultation response concludes that "HSE does not advise, on safety grounds, against the granting of planning permission in this case."
26. The consultation response from **Scottish Natural Heritage** highlighted the fact that the proposed site is located within approximately 0.2 km of the River Avon, which is part of the River Spey Special Area of Conservation (SAC). The River Spey qualifies for its important populations of freshwater pearl mussel, Atlantic salmon, sea lamprey and otter. **SNH** conclude in their response that "it is unlikely that any qualifying features will be affected either directly or indirectly and in **SNH's** view, an appropriate assessment² is therefore not required."
27. A number of consultation responses were received from various departments within Moray Council. In relation to traffic / roads issues, the **Transportation Manager** of the Environmental Services Department responded stating that "the application should be approved unconditionally."
28. The development proposal was also assessed by the **Environmental Protection Manager** within Moray Council and the response received recommends the granting of planning permission. A similar positive response was received from the **Environmental Health Manager** with a recommendation to approve the development proposal unconditionally. The **Contaminated Land Officer** with Moray Council was also consulted on the proposed development and the response received stated that there were no further comments to make.

² The River Spey's status as an SAC under the EC Directive 92/43/EEC on Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive), means that the provisions of the Revised Circular 6/95 apply. The circular sets out the UK Government's obligations under the Habitats Directive that "The Regulations require that, where an authority concludes that a development proposal unconnected with the nature conservation management of a Natura 2000 site is likely to have a significant effect on that site, it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated." Paragraph 13 of the Circular states that the need for appropriate assessment extends to plans and projects outwith the boundary of the site in order to determine their implications for the interests protected within the site.

REPRESENTATIONS

29. A number of letters of representation were received by post and also by e-mail, expressing concern regarding the proposed development. John Fox-Davies and Kathryn Auckland of North Cottage, Ballantruan Steading, Kirkmichael, Ballindalloch set out a number of grounds on which they are objecting. Concerns raised include reference to the fact that the existing distillery buildings already occupy a very large plot and that the current proposal would represent significant further industrialisation in an area of outstanding natural beauty; the lack of proposals in the application for the provision of screening; and concern that the works required to complete the proposed development would result in increased heavy traffic traversing along the B9136 and the associated concern that this would increase the risk of accidents in the area. The letter also makes reference to previous experiences associated with development at the distillery, namely the installation of large blending vats which when constructed included further associated development that had not apparently been part of the application, for example illumination of vats by high powered lighting and the provision of a large tarmac access road at the southern end of the site. The authors of the letter voice concern that this current proposal may have “strings attached” and that the proposed development would “represent the thin end of the wedge with further incremental developments following in steps that, collectively, will represent a major extension.”
30. The authors of the above detailed letter also submitted further correspondence via e-mail, raising concern in particular about the extent of lighting used throughout the night at the existing distillery complex and questioning why lighting of this nature could not be activated by motion sensors or shaded more effectively. The submission also included a photo showing the night time lighting at the facility.
31. Iain and Susan Kenneth of South Cottage, Ballantruan Steading, Kirkmichael, Ballindalloch also wrote objecting to the development proposal. The authors refer to the recent development of new blending facilities at the distillery and voice their unhappiness that “Tomintoul Distillery is able to continually develop industrially, yet the B9136 road remains completely unsuitable to cope with this.” The letter refers to a number of ‘blackspots’ and suggest that “presumably, now that the Council has been made aware of these blackspots, any accidents that cause a vehicle to leave the road due to lorry traffic, the council may be liable for.” The letter goes on to query whether or not further warehouses would be built across the field, thereby creating “a major industrial development in one of the nicest areas of the National Park”. Reference is also made to light pollution from the existing lighting facilities. Other concerns and queries raised include whether or not the applicants have explored the possibility of buying empty warehouses at Tomnavoulin; why the warehouses cannot be built “at the back of the site” and suggesting that the proximity of the proposed warehouses to

the authors residential property would represent a fire hazard as well as an eyesore.

32. A letter of representation was also submitted from Malcolm MacGarvin of Ballantruan Farmhouse, Kirkmichael, Ballindalloch raising a number of concerns. Mr. MacGarvin is concerned at the inadequacy of the B9136 and states that it is unsuitable for the nature of vehicles now in use, and he suggests that "more storage capacity must mean more vehicular movements or bigger vehicles." The author of the letter also raises the question of whether or not the storage capacity required is specifically related to on-site production and suggests that alternatives other than a greenfield site should be explored. The third point of concern raised is in relation to 'visual impact and other disturbance' stating that the proposed buildings will increase the already significant visual impact created by the existing buildings, the latter phases of which he describes as being of "a purely utilitarian nature, with little or no attempt to landscape the perimeter." The author also refers to the potential impact of the proposed development on his property, Ballantruan Farmhouse, which is an A listed building dating from the 18th century. The submission letter puts forward a number of suggestions on the issue of minimising the visual impact, including either the relocation of the proposed warehouses to an alternative location adjacent to the distillery complex, or the building up of a 5-10 metre bank around the existing and proposed warehouses and planting with grass, birch and other vegetation. Similar concerns to those mentioned in other submissions are detailed in relation to the night time visual impact of the distillery due to "lighting pollution," with the author recounting that the distillery "has recently installed high intensity, unshielded lights that are on regardless of the use of facilities."
33. Mr. MacGarvin in his submission also details his disturbance at the fact that the development is proposed so soon after a recent expansion and that no mention was made of the proposal at that time. He suggests that it is necessary to take into account the impact of the proposed development on others, its status within the National Park boundary, and the impact on local tourist and angling dependant trade. The author states that he is not opposed to the principle of change, but feels that there are significant obstacles to the proposal and that "it is not a simple issue of landscape vs. jobs."

APPRAISAL

34. The key issue to determine in this application is whether or not further expansion of large scale commercial development is acceptable in the context of its location in a remote rural area of the National Park and its proposed development on open and exposed agricultural land. The principle of industrial development has already been established on land immediately adjacent to the proposed site, and as is the case in many Highland locations, the presence of a distillery has through the

years created valuable employment opportunities and associated economic development activity in the immediate rural areas. The presence of distilleries, remote from larger settlements, has led to their acceptance as a traditional, established land use in rural areas, with the Moray Local Plan detailing distilleries as an indigenous industry.

35. In the context of national, Structure Plan and Local Plan policy and guidance applicable to a proposal of this nature, it is considered that the principle of the development is generally in compliance although it is questionable as to whether or not the specifics of the proposal are in compliance. The Moray Development Plan (Structure Plan and Local Plan) accepts and encourage the principle of extensions to existing indigenous businesses in the countryside. Information has been provided by the distillery operators to verify that the proposed warehouses are required for the operation of the distillery and not as has been suggested in the course of some letters of representations to operate independent of the distillery.
36. The Moray Development Plan encourages extensions to existing indigenous industries subject to them being accessible in terms of infrastructure requirements and environmental considerations (Policy S/ENV1). In terms of infrastructure, the proposed development involves the use of an existing entrance and access road serving the existing distillery and as detailed in para. 26 of this report the Transportation Manager of the Environmental Services Department of Moray Council has examined the proposal and recommended that the application should be approved unconditionally. The consultation response does not refer to the wider usage of the road network in the area by distillery vehicles, although the potential impact of the development on the existing road network is one of the issues of concern highlighted in all three letters of objection received. In the course of this assessment it is considered necessary to distinguish clearly between traffic and other related activities associated with the operation of the existing distillery – all of which are outside the remit of this assessment, and concentrate on the potential impacts of the proposed development of four additional warehouses in the context of it being used for storage purposes associated with the existing distillery. The details put forward by the applicants in support of the proposal indicate that the warehouses would be used to accommodate 24,000 additional cask movements from the existing whisky blending facility within Tomintoul Distillery. It is clear therefore that the on site cask movements would eliminate otherwise necessary movement off site. Information submitted by Angus Dundee Distillers Plc indicates that off site movements, if required, would total 240 heavy goods vehicle movements per annum. It cannot therefore be considered that the proposed warehouses and their use for the storage of casks would give rise to increased traffic on the local road network, and was not this was not therefore a factor of consideration in the assessment of the proposal by the Transportation section of the Environmental Services Department of Moray Council.

37. As regards other infrastructural and technical issues, this report sets out at various stages the extent of proposals put forward and the positive responses received from a wide range of consultees including **SEPA** and the **Health and Safety Executive**, as well as the **Environmental Protection Manager**, the **Environmental Health Manager** and the **Contaminated Land Officer** of Moray Council. **Scottish Natural Heritage** have also confirmed that the proposed development site is 0.2 kilometres from the River Spey SAC and that any of the SAC's qualifying features would not be affected either directly or indirectly by the development.



Fig.4 : Existing warehouses at Tomintoul Distillery complex

38. With regard to the landscape and visual impacts of the proposed development, particularly having regard to the proposed location within a rural area of the Cairngorms National Park, as well as within an Area of Great Landscape Value, the proposal may be considered to potentially be contrary to a number of national, Structure and Local Plan policies, particularly in terms of its overall siting and design, where high standards are generally encouraged. The proposed structures are standard industrial warehouse designs and the use of standard industrial finishes is proposed. While the proposal could not be considered to constitute a high standard of design specific to its proposed rural location, it must be acknowledged that it follows the general design concept of other warehouse structures already in existence at the distillery complex (although proposing more extensive use of metal profile sheeting). In addition, as already detailed in foregoing sections of this report, in recognition of its relatively exposed and open siting, detailed landscaping proposals have been submitted, which include proposals for the provision of significant earth mounding and tree planting, which would undoubtedly visually enhance the area from its present state. Photomontages have been submitted that illustrate the potential beneficial effect that such a planting scheme may have (see overleaf). In addition, given the location at which the

mounding and planting is proposed, it is likely to be of benefit to residents of neighbouring properties to the west in enhancing the quality of their aesthetic environment.



Eastern view of warehouses, with no mounding or planting.



Eastern view of warehouses, with mounding and planting after approximately three years of growth.



Eastern view of warehouses, with mounding and planting after approximately ten years of growth.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

39. The proposed development would be unlikely to affect any qualifying feature of the River Spey Special Area of Conservation due to its proposed location some 0.2 kilometres from the designated site and is not therefore considered to be contrary to the aim of conserving the natural heritage of the area.

Promote Sustainable Use of Natural Resources

40. The proposed warehouses are of a standard industrial design and the construction materials proposed do not promote the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

41. The commercial nature of the development, together with the actual design and siting of the proposed structures is not considered to offer any opportunities to promote the understanding and enjoyment of the area. The proposal does however include a detailed landscaping plan and a commitment to provide significant earth mounding and associated belts of screen planting which over time would be of benefit in providing screening of much of the distillery complex, offering an opportunity to achieve greater assimilation of the existing and proposed industrial type buildings into their rural landscape setting. This could in the long term have the benefit of enhancing the visual experience, thereby enhancing the enjoyment of the area, as opposed to the current barren state of the boundaries and land immediately adjacent to the existing distillery buildings.

Promote Sustainable Economic and Social Development of the Area

42. Distillery activity is a long established and vital part of the indigenous industry of Moray, and the continued survival of such industrial activity is an important fabric of the economic development of the area. The proposal would also generate two additional full time employment opportunities as well as the possibility of occasional temporary employment opportunities.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant planning permission for the erection of four new warehouses at Tomintoul Distillery, Ballindalloch, Banffshire, subject to the conditions listed hereunder –

1. That the proposed warehouses shall be used only in conjunction with the operation of Tomintoul Distillery and shall not be used for any operations independent of that.
2. That the proposed landscaping shall be carried out in accordance with the planting schedule submitted to the Cairngorms National Park Authority on 1st August 2005, and shall be completed within one year of the commencement of the proposed development. Any trees or shrubs that die or become seriously damaged or diseased within a period of five years from the time of planting shall be removed and replaced with others of a similar size and species within the next planting season.
3. External illumination shall be adjusted and deflected so that it does not shine on any property used for residential purposes. Prior to the commencement of development, a detailed lighting scheme shall be submitted for the agreement of the Cairngorms National Park Authority, acting as Planning Authority.
4. That the proposed warehouses shall open / operate in accordance with the existing working hours at Tomintoul Distillery.
5. All public services for the development including electrical, communal television and telephone cables, shall be located underground throughout the site.

Determination Background :

The application was called-in for determination by the Cairngorms National Park Authority on 11th March 2005. A number of consultations with external sources were undertaken at that time, following which it became apparent that a significant level of further information was required in respect of the proposed development. The information was sought on 22nd April 2005, with a response (providing insufficient information), received by the CNPA on 12th May 2005. Clarification was sought on a number of issues in a letter issued on 30th May 2005, with the response received on August 1st 2005. It was necessary to re-engage in consultations with external agencies at that time and this report has been prepared further to receipt of the relevant consultation responses.

Mary Grier
Planning Officer, Development Control
1 September 2005 **planning@cairngorms.co.uk**