

## CAIRNGORMS NATIONAL PARK AUTHORITY

---

### FOR INFORMATION

**Title:** PROPOSAL OF APPLICATION NOTIFICATION –  
ERECTION OF DISTILLERY, MAKRETING SUITE  
AND MATURATION WAREHOUSES WITH  
ASSOCIATED ACCESS, PARKING,  
INFRASTRUCTURE AND SERVICING AT LAND 250M  
SOUTH EAST OF SPEY DAM, LAGGAN

**REFERENCE:** PRE/2022/0021

**Prepared by:** Emma Bryce, Planning Manager (Development  
Management)

### Purpose of Report

To inform the Planning Committee of:

- a) A Proposal of Application Notification (PAN)
- b) To allow members to raise any views on the issues to be addressed in an application.

### Recommendation

**That the Planning Committee:**

- a) **Note the Proposal of Application Notification for**
- b) **Note the CNPA Officer's advice on the issues to address; and**
- c) **Make comment on any additional relevant issues to be addressed in any future application.**

### Background

1. The Planning Committee agreed a procedure to allow member involvement in pre-application advice for major planning applications in December 2015. This report informs the Planning Committee of the attached Proposal of Application Notice (PAN). The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on 30 August 2022 to Highland Council. Members are asked to note this may form the basis of a subsequent planning application. The procedure involves officers presenting the information provided with the notification alongside an assessment from officers on the issues that need to be addressed. Planning Committee members have an opportunity to note issues that an application would be expected to address. Members are not being asked to approve the advice of officers.
2. The submitted information attached at **Appendix I** includes:
  - a) Proposal of Application Notice;
  - b) Location Plan;
  - c) Pre-application response.

3. The applicant has carried out a public event, an exhibition on 6 September 2022 with a further exhibition to be held on 10 October 2022. A virtual event is scheduled for 4 October 2022.

### **The Proposal**

4. The proposal is for the erection of a new distillery, marketing suite, maturation warehouses with associated access, parking, infrastructure and servicing.
5. The applicant has previously sought the pre-application advice from Highland Council and the CNPA provided advice during that process. A copy of the CNPA's pre-application advice is included in **Appendix I**.

### **Site Description**

6. The site lies approximately 250 metres southeast of the Spey Dam adjacent to the River Spey. The site is rough ground with no known use at present and covers an area of approximately 4.5 hectares straddling General Wade's Military Road (track). The site will be accessed from the A86 and lies approximately 1.75 km along the U2104, a track running between Laggan and Melgarve Road.
7. A copy of the location / site plan is attached in **Appendix I**.

### **Development Plan Context**

<b>National Policy</b>	Scottish Planning Policy 2014	
<b>Strategic Policy</b>	Cairngorms National Park Partnership Plan 2022- 2027	
<b>Local Plan Policy</b>	Cairngorms National Park Local Development Plan (2021)	
	Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	<b>X</b>
POLICY 3	DESIGN & PLACEMAKING	<b>X</b>
POLICY 4	NATURAL HERITAGE	<b>X</b>
POLICY 5	LANDSCAPE	<b>X</b>
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT, AND RECREATION	
POLICY 9	CULTURAL HERITAGE	<b>X</b>
POLICY 10	RESOURCES	<b>X</b>
POLICY 11	DEVELOPER OBLIGATIONS	

8. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

## Planning Guidance

9. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance (2015)	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Design and Placemaking Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Obligations Supplementary Guidance	

## Potential Material Planning Considerations

10. The material planning considerations for any subsequent application are:
- The principle of development
  - Landscape impacts
  - Design and Layout
  - Environmental impacts (including impact on any designated sites)
  - Impacts on amenity
  - Access and servicing
  - Flooding and surface water management

## Conclusion and Next Steps

11. The report presents the information submitted to date as part of the PAN. Officers have summarised the policy considerations against which any future planning application will be considered as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.
12. It is recommended that the Committee notes the submission of the PAN and advises of any material issues it wishes be brought to the applicant's attention.

**Emma Bryce**  
**August 2022**  
[emmabryce@cairngorms.co.uk](mailto:emmabryce@cairngorms.co.uk)