

AGENDA ITEM 6

APPENDIX 2B

2020/0119/DET

**REPRESENTATIONS
OBJECTIONS**

Comments for Planning Application 2020/0119/DET

Application Summary

Application Number: 2020/0119/DET

Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mr Iain Patrick

Address: Woodside Glenlivet Ballindalloch

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The area is a very sensitive one environmentally, the very principle of it being a remote area within the Cairngorms National Park, adjacent to the Speyside Way Spur & a designated Dark Sky Discovery Site. The application states that there will be an outside light, but this contravenes the Dark Sky Lighting Management Plan which states 'No new outside lighting in the E0-0 zones except red filtered way markers'. The IDA who administer the Dark Sky accreditation have highlighted this. However, the document which Chivas had drawn up by James Patterson, the lighting engineer, states there will be no outside light. So if that is followed, and there isn't a light, how is this compatible with health & safety, as in the event of a fire, you would be running out of a lit building into the darkness. If a light is included, we would likely lose the Dark Sky accreditation.

It is welcome that the overnight element has been removed, but the evening use will be year-round reflecting the extended opening hours of the distillery. The level of traffic and the inevitable expansion is not sustainable given the access to the property & will result in noise, disruption & pollution to the area for little or no benefit. This is further compounded by the intention to still drive water to site, which is a terrible idea from an environmental/carbon emissions point of view.

Finally, the plans show use of a soak away for drainage/sewerage. SEPA have highlighted that the site is situated up-hill from several private water supplies. This plan risks the quality of these supplies and endangers public health.

Consideration needs to be made as to whether a commercial property being built is appropriate or even necessary as it will be of no benefit to the local area or community.

This development is neither welcome, necessary or of any benefit to the local environment and I therefore strongly object to it.

Comments for Planning Application 2020/0119/DET

Application Summary

Application Number: 2020/0119/DET

Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mr Richard Doake

Address: 6 Castleton of Blairfindy Glenlivet Ballindalloch

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the application on the basis that the proposed location would be detrimental to the existing tourist and recreational facilities of the immediate area, formed by the Speyside Way / Core Path GL25 and the status of the area as an E0-0 zone of the Dark Skies Park. These impacts would be contrary to planning policies to protect existing tourism, and the application does not provide justification or demonstration of locational need for the proposed project, again contrary to various policies and priorities of CNPA LDP 2015 / 2020 and Moray Council LDP 2015 / 2020. The location is moved from an earlier proposed one, but the fundamental objection to using the general location has not been addressed.

The proposed location is immediately adjacent to the Tomintoul Spur of the Speyside Way. The footpath beyond the site entrance has recently been extensively upgraded to improve its attraction for walkers, which reflects the Way's importance for local tourism.

A new building with activities so close would detract from the feel of the area for the walkers, who are looking to enjoy wilder places. Frequent passing service vehicles would damage the track and disrupt the enjoyment of the route by walkers. These walkers constitute significant existing tourism, which needs to be protected. Night time use would also detract from other experiences.

The primary purpose of the Tasting Lodge is to provide experience of tasting the local whisky. The distillery does not own the land of the site, and wide scenic views are readily available elsewhere in the region. There is no need to site the lodge here.

Relevant policies of the Moray Council and CNPA LDP's, are considered to be covered in:

Moray Council

LDP 2015: ED7: a) ; ED8: c) .

LDP 2020: PP3: b) (ii) ; DP8: and (Justification /Notes) ; EP3: 1) a) ii)

CNPA

LDP 2015: Policy 2: - 2 a) and b); Paras 4.9 , 4.10 .

LDP 2020: Policy 2: 2.3 a) and b); Policy 5: 5.1 a) a

Comments for Planning Application 2020/0119/DET

Application Summary

Application Number: 2020/0119/DET

Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mrs Amanda Cairns

Address: Westertown Tomnavoulin Ballindalloch

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to the proposal for a new building to be erected in this location for several reasons.

As a rural area Glenlivet has few economic opportunities, the landscape and environment is the reason many people visit this area and how many locals make their living so it is a very valuable asset. The proposed location is up on an unspoilt and remote hillside. The most rugged section of The Speyside Way follows the track that will be used to access this building. At present the track is only used by farm or estate work. A commercial building so far off the road would not enhance the area and I fear would set a precedent for further development of the land around.

The other buildings in this area are both down at the bottom of the hill on the roadside where you would expect them to be.

The potential impact on our converted Dark Sky status is of serious concern. A lot of hard work has gone into getting this prestigious award and local farms and homes have altered their outside lighting to minimise any light pollution accordingly. Therefore it seems ridiculous to propose building a Tasting Bothy within view of one of our Dark Skies viewing points. Although the application has provided a report on how the building could limit any pollution it seems unclear whether they can satisfy the requirements of Health and Safety and the E0-0 Dark Sky Zone.

The road that will be used to access the Bothy is a quiet single track road with limited visibility in parts and is not gritted in winter. At present it is used purely by locals so any increase would not go unnoticed. To create passing places for one commercial venture is a waste of local resources.

It seems that this proposed Tasting Bothy has a wide reaching negative impact on the overall environment and habitat, the limited road infrastructure and the neighbouring properties and their water source whilst providing no benefit to the local community.

Comments for Planning Application 2020/0119/DET

Application Summary

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Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mr Gordon Wallace

Address: Stonehallow Glenlivet Ballindalloch

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I feel that the location of this building is totally unnecessary. I'm not against a tasty bothy but not on a previously undeveloped plot of land that isn't owned by the distillery. There are plenty of other suitable locations that won't impact on the landscape.

This will have a detrimental effect on the dark skies park, it's likely to effect the water supply of neighbouring properties.

I currently enjoy walking my dog on the Speyside way and don't want lots of vehicles coming and going throughout the day. The field is also grazed by cattle and sheep.

The distillery has given no assurances about the impact on nesting birds and wildlife, they were also very vague on the maintenance and upkeep of the access track, placing the onus on the Glenlivet estate.

They had the opportunity to purchase Minmore house and all the outbuildings which would have offered a far more authentic experience but declined this offer.

I'm not against buildings in the National Park but not on the skyline in the dark skies park when there are so many other sites available.

Mrs Kim Peacock
Burnside Cottage
Glenlivet
Ballindalloch
AB37 9DJ

7th June 2020

Dear Sir/Madam,

Objection to Planning Application Reference: 2020/0119/DET

Following the previous retracted application for this proposal, the development was re-sited and amended to address some of the issues raised. However, many of the fundamental concerns have failed to be addressed and in some areas, have raised new or increased concerns from the previous proposal.

In addition, the proposal contravenes numerous areas within the Cairngorms National Park Local Development Plans 2015 and 2020 and in addition, Moray Council Local Development Plan 2020. Some of which have been noted below for reference, but are not a comprehensive inclusion of all areas of plan contraventions.

Economic progress naturally must be supported, but surely not at the detriment to other tourism avenues, the landscape, wildlife, local businesses and residents. Many of the issues raised would be completely negated, should the development be located at a more suitable, less sensitive and more appropriately accessible site.

I have detailed my reasons for objection below.

1. Private water supply contamination and unsustainable use of water

I raised concerns about contamination of our private water supply during the applicants previous planning application for this proposal in 2019. Following the withdrawal of the application due to unrelated matters, I raised the issue again at a community consultation, having seen the amended location which posed even more of a concern. The matter was also raised at a private meeting organised by Richard Lochhead MSP in March 2020. It was therefore extremely disappointing to see that the pollution of private water supplies had not been taken into account when the latest plans were submitted.

Following communication with the applicant, our household was assured these issues would be considered at a later date, once planning permission had been granted.

My cause for concern was clearly not unfounded, given that SEPA and Moray Council have both highlighted serious potential issues with this matter.

The application is in contravention to Cairngorms National Park Local Development Plans 2015 and 2020, and Moray Council Local Development Plan 2020.

CNPA Local Development Plan 2015 - Water resources

All development should: f) avoid unacceptable detrimental impacts on the water environment. Development should demonstrate any impacts (including cumulative) can be adequately mitigated.

CNPA Local Development Plan 2020 - Water resources

*Have no significant adverse impact on existing or private water supplies or wastewater treatment services;
and;*

Where development may impact a resource, or have an adverse impact on neighbouring properties, a sequential approach should be taken to site selection in line with best practice.

CNPA Local Development Plan 2015 and 2020 - Connection to sewerage

All development should be connected to the public sewerage network unless: a) it is in a small settlement where there is no, or a limited collection system, in which case a private system may be permitted where it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or the amenity of the area;

In addition, the proposed transporting of water via vehicle to site is not an environmentally conscious and sustainable option and is incompatible with various policies within The Cairngorms National Park Local Development Plan, in regards to sustainability and environmental impacts and the low carbon pledge of the National Park Partnership Plan.

2. Impact on Heritage Lottery funded projects and diverse, sustainable tourism

Heritage Lottery funded projects have recently been completed in the area, with the creation of the International Dark Sky Park status and the upgrade of the Speyside Way Spur long distance walking route. Both provide sustainable and diverse forms of family-friendly tourism, which are lacking in the Glenlivet area. The proposed development has a direct impact on both of these amenities which embrace the natural landscape qualities of the area, and will compromise the future enjoyment, economic viability and project legacy of both. It has not been made clear in the application, however it was stated at the community consultation that the gate which was recently installed as part of the Heritage Lottery funded project is to be removed, in place of a cattle grid.

Public vehicular access is prohibited by law as per the Core Path restrictions and Crown Estate signs located at the livestock gate. As such, a vehicular tour utilising the Core Path sends confusing and elitist messages to public users of the amenity. It is in contravention of the below Local Development Plan statements:

CNPA Local Development Plan 2020

4.58 In considering the impact on the path network, proposals must be consistent with the Scottish Outdoor Access Code, the Cairngorms National Park Outdoor Access Strategy and the Cairngorms National Park Core Paths Plan

And in addition:

Moray Council Local Development Plan 2020 - Primary Policies

b) Development proposals will not be supported where they: ii) Adversely impact on active travel routes, core paths, rights of way, long distance and other access routes and cannot be adequately mitigated by an equivalent or better alternative provision in a location convenient for users.

In regards to the International Dark Sky Park, the proposed development plans to drive vehicles through the Dark Sky Discovery Site and into a light-protected zone. I understand that the plans agreed by the Lighting Plan author specifically excluded external lighting, in order to comply with the International Dark Sky regulations. I would like to bring to your attention that the Design Statement shown within the approved lighting documents is in contradiction to this and clearly states that an external light will be utilised for statutory purposes.

A shielding structure has been proposed for tourists, to limit light pollution. However, no further details have been provided in regards to this other than a specified height, which will undoubtedly limit the view to the sky line and given its positioning and height, will in particular completely obstruct the view of the Aurora Borealis which this Dark Sky Discovery Point is promoted for. It also does not detail any provisions for disabled access and will limit the number of users to the Discovery Point at any one time.

The proposal is incongruent with the special dark sky qualities of the landscape and as such will naturally affect the enjoyment of astro tourists and future marketing and economic potential of this Dark Sky Discovery Site and the International Dark Sky Park as a whole, which will also have a negative impact on related businesses such as holiday accommodation. As one of the only diverse, family-friendly forms of tourism in the area, its viability and reputation will surely be impacted by a late evening/night time alcohol-based attraction, which seems wholly inappropriate and incompatible given the recent investment to encourage younger people, families and individuals looking for nature-based, peaceful, non whisky related tourism to that specific area of Glenlivet, in a safe environment setting.

In addition, the proposal does not seem to be a long term sustainable strategy, nor compliment the low carbon pledge of the National Park Partnership Plan. It encourages more vehicular use, unsustainable natural resource transportation and compromises a truly environmentally friendly form of existing tourism in the same area.

3. Impact on local business and lack of local economic or community benefit

Residents of the immediate local community have provided a hillside whisky tasting experience offering, in partnership with The Glenlivet, for a decade. A corporate duplication of the existing business, without prior consultation with the local resident partnered business, is unnecessary and has a direct negative impact on those currently making a living in the local community.

The proposal brings no additional local benefit and rather than contributing to the community, is significantly detracting from it for several reasons.

It has been stated in a community consultation that no new employment opportunities will be created as part of this proposal, with external sources being utilised for some areas. As such, this does not create any new employment within the area. As a Globally owned company, any economic benefit from this development will not be felt within the local area, failing to meet the needs of the community and at the economic detriment to other tourism avenues within Glenlivet, which attract a different demographic including families, a market which the distillery offerings are unsuitable for.

The proposal offers a whisky tasting experience, for which the applicant already has numerous and varied options for at the existing visitor centre.

4. Wildlife, RSPB Red Conservation Status species and European Protected Species

The proposed development is located within sensitive wader bird breeding area. As an RSPB red conservation status Curlew and Lapwing annual nesting site, concern has been raised not only in regards to the obvious habitat destruction, but the vehicular and human disturbance posing a danger to the wildlife and the direct impact on the use/enjoyment to wildlife enthusiast users of the Core Path as a result. Residents of the local and wider area value the location for it's thriving wildlife, visiting the area for quiet walks and wildlife spotting opportunities which will be impacted and somewhat compromised by the proposed daily vehicular access. A significant amount of public money and Heritage Lottery funding has recently been utilised in the Glenlivet and Tomintoul area for 'The Peesie Project' and wader bird conservation as a whole, given that the location is deemed to be one of the last strongholds left for these endangered species.

Members of Tomintoul and Glenlivet Wildlife Group identified a Brown Long Eared Bat population with roost sites at Upper Drumin, Blairfindy Moor and the woodland just behind the proposed development. This presence is of particular importance as it is at the upper altitude limit of the species. A representative for the applicant at the community consultation stated they were aware the above species are in the proposed area. However, the applicant has failed to include any information on surveying, mitigation or enhancement measures, or a species/habitat protection plan as specified in the Cairngorms National Park Local Development Plan.

5. Road access and safety issues

There is one route available to access the proposed new attraction and once past the main road at the Distillery, the road arrangement changes significantly. This road is mainly used by residents for access and some limited farm traffic, consisting of a steep hill, single track roads with no passing places, impaired visibility at junctions and various other safety/access hazards.

The road is outwith the The Moray Council Winter Maintenance Gritting and Ploughing Routes, leaving the area at Upper Drumin often extremely hazardous and cut off from access for prolonged periods of time, at a much higher altitude and exposed location to that of the current Distillery site. These conditions can and typically do occur any time between October to May. The steep hill can easily become completely impassable, even to those with four wheel drive vehicles or with the aid of snow chains.

If passing places were to be installed and an agreement made with Moray Council to make it a primary route to plough, ploughs do not clear passing places and given the large snow banks often occurring during the colder months, would still leave vehicles in the same situation as present and unable to pass. Ice is also often heavily compacted on this road and as such, vehicle control and manoeuvrability is heavily compromised.

Due to the steep hill incline and difficulty in gaining traction at the junction regardless of the weather or time of year, this particular section of road at the top of the junction is regularly problematic with frequently occurring pot-holes and very loose and fast deteriorating road surface, which requires regular repairs but seldom happens for very long periods of time. The increased daily road usage will undoubtedly amplify and accelerate this issue.

The access track is often blocked or obscured by cars in the car park, which also poses an unpredictable access issue for the proposed development.

6. Details omitted from/not made clear on the application and contradictory statements

Following a community consultation and private meeting with Richard Lochhead MSP, the applicant has stated that they intend to extend their opening hours imminently to be year round and into the evening/night. This has not been made clear on the proposal and may affect material decisions.

The external lighting document states that no external lighting is to be permitted, to comply with the International Dark Sky regulations. However, the Design Statement shown within the approved lighting documents is in contradiction to this and clearly states that an external light will be utilised for statutory purposes. This is again repeated within the full Design Statement itself.

As a result of the extended opening times, concerns were raised at the community consultation in regards to an increase in visitors to the distillery. There are already issues with visitors getting lost when trying to find the distillery in the warmer months and taking the back, incorrect route of single track road with no opportunity for passing places, causing incidents not only for themselves but for local residents too, who often have to assist in recovering vehicles from ditches etc. It was also raised that given the proposal expands into other areas of Glenlivet away from the visitor centre, visitors may take this same very narrow and often blind back road out of curiosity to look at the attraction. This road cannot sustain any additional traffic and an increase in such would be extremely hazardous in the colder months in particular. The previous application Transport Department response stated that traffic should be mitigated from accessing this section of road. As such, it was discussed that signage would be considered to avoid/limit this possibility and ensure traffic is appropriately directed to the distillery. This has not been addressed within the plans.

Additional vehicle use for daily maintenance, cleaning, preparing for each visitor arrival slot etc, has not been clarified.

As stated in an earlier comment, the applicant confirmed during a community consultation that they intend to remove a gate which has just been installed as part of the Heritage Lottery funded Speyside Way Spur upgrade. Again, this is not clear on the plans.

7. Sense of wildness and impact on the character of the landscape, eroding special landscape qualities, noise pollution and disturbance

As one of the only areas of accessible true wilderness within the Glenlivet settlement, this particular location is valued by local residents and visitors alike, for its remote, wild, unspoilt and peaceful nature. The proposed commercialisation of this tranquil area of agricultural moorland and hillside will undoubtedly create an immeasurable disturbance to the few residents who reside here, those living along the access road, and for those who come to enjoy the tranquil Speyside Way Spur and Dark Sky Discovery Site, locals and tourists alike. Given the tranquillity and nature of the setting, this is an inappropriate area for commercial development, which already has a generous space allocated elsewhere nearby.

8. Health and Safety concerns

To be compliant with the Dark Sky Status, external lights have not been permitted. Given that this proposal is in the very heart of the darkest part of the settlements within the National Park, naturally with no street lighting or artificial lighting whatsoever, in the event that guests need to vacate the building in an emergency during darker hours and get to a place of safety, there is a significant potential for injury. How does this proposal fit with statutory Health and Safety regulations?

Access to the track can often be blocked/obscured by vehicles parking in the car park and this is the only access route to the proposed development. To the north, the land cannot be accessed by any other means down the entire length of the road to Nethertown Farm as the land is separated by a burn and steep banks. From the access track facing south are the Carn Liath hills, from the access track facing west there is a vast expanse of woodland, moorland and remote hillside with no emergency services access possible from the other side of the valley. The location and exceptionally limited access could cause an issue in the event of an emergency situation.

Yours sincerely,

Kim Peacock

Mr David Peacock
Burnside Cottage
Glenlivet
AB37 9DJ

7/6/2020

Application Reference: 2020/0119/DET

I am writing to object to the above planning application as the proposed development conflicts with an extensive range of planning policies, as detailed in the Cairngorm National Park Local Development Plan 2015 and 2020.

Whilst I recognise it is important to support new developments within the National Park boundary, to help support growth and economic development, the location for this development is not appropriate.

Private Water Supply

This application is situated close to, and up hill from our private water supply. As raised by Moray Council and SEPA already as part of this planning application, this poses a great risk of contamination as the well water level sits close to the surface, so any soak away will likely infiltrate our supply. I raised this with Chivas at their consultation in December 2019 and also via email. The response via email proposed a few options, however there is no specification of the sewage treatment in the plan to confirm how they will mitigate this risk. As stated in the CNPA local development plan 'All developments should have no significant adverse impact on existing or private water supplies or wastewater treatment services' and therefore this application should not be allowed to proceed on this point alone, until specific details of the septic treatment system are provided, and we, as residents affected, are given a legally binding guarantee that there will be no impact on our private water supply.

The CNPA Local Development Plan also states in relation to sewerage treatment 'a private system may be permitted where it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses'

There is also already concern about the current availability of water in the area, and several professional bodies such as Moray Council and SEPA have advised people to be careful with their water usage this year as they are anticipating shortages. There should not be an additional drain on this resource purely for a new marketing exercise by Chivas.

Dark Sky Accreditation

There is conflicting information in the planning application relating to the proposed lighting. The Design & Access Statement provided (2020_0119_DET-DESIGN_STATEMENT-100164152.pdf) states that there will be an external escape light for statutory reasons. However, in the Lighting Planning Support Information (2020_0119_DET-LIGHTING_PLANNING_SUPPORT_INFORMATION-100164619.pdf) written by Blyth and Blyth, with consultation from James Patterson, it states there is to be no external light, only indoor lights.

If the Design & Access Statement is correct, then this contravenes the Dark Sky Accreditation Lighting Management Plan which states there are to be no new outside lights in the E0-0 zone other than red filtered navigation markers. Contravening the LMP puts the accreditation at risk of removal as stated by the IDA and is therefore against the aim stated for Glenlivet in the CNPA Local

Development Plan 2020 – ‘Ensure new development preserves Glenlivet’s International Dark Sky Park status’.

If the Blyth and Blyth document is correct and the outside light has been removed from the plans, I cannot see how this would comply with any Health and Safety law, as in the event of a fire (note, there is a wood burning stove on the proposed plans), people will be going from a lit building potentially into complete darkness, which could lead to trips and fall on the uneven outdoor surface whilst making their escape. Whilst Chivas has said they will only operate during the day (i.e. the night time accommodation has now been removed) they stated at the consultation that they would be using the building occasionally during the evenings. They have also offered its use for the Cairngorm Astronomy Group for the 4 darkest nights of the year – therefore the building will be used when dark outside and the risk from no suitable outside lighting will be great.

Moving the proposed application to the current site of the Glenlivet Distillery, moves the application out of the sensitive E0-0 zone and therefore statutory outside lighting would be permitted.

Speyside Way Access

At the consultation with Chivas in March, they stated they would be responsible for the maintenance of the Speyside Way Spur, from the Blairfindy Moor carpark, up to the newly surfaced section of track at the top of the hill. This however has been omitted from the planning application. This raises huge concern as the Speyside Way Spur has received substantial funding from the National Heritage Lottery Fund, CNPA and other funding partners, along with a huge amount of volunteer time to improve access between Glenlivet and Tomintoul. The application proposes using a section of the Speyside Way Spur for vehicular access, and so to ensure the public funds and volunteer time was not wasted, any utilisation of the spur should be maintained at their cost and a planning condition applied stating timescales for any repair and maintenance work. The section of track proposed only has very limited vehicular access (the farmer a couple of times a week, and Estate/Distillery workers a couple of times a month), and it will likely deteriorate quickly with construction traffic, and several trips a day by Chivas once operational. The surface is not designed for regular vehicular traffic.

Their proposals include the removal of a new gate installed as part of the £300,000+ improvement works, and it is to be replaced with a cattle grid. How can something less than a year old, and paid for via these funds be removed by a private company?

Wildlife

I raised at the consultation and meeting with Chivas in March that a huge amount of volunteer time and public funds have been spent on the Peesie project locally to improve habitat for waders. It is therefore surprising that the proposed development is on a known wader site, and their vehicular access will be right through the middle of this. Consideration of wader scrapes and other habitat improvement works should be included to encourage waders away from the access track and the development, so that waders are unaffected by the proposed works and future operation. Indeed, the CNPA Local Development Plan states that developments should be designed to ‘create opportunities to further biodiversity and promote ecological interest’ – this application does not include any suggestion of improving biodiversity, yet it has great potential for it.

Environmental Impact

In recent years, both globally and locally, there has been a push for reducing carbon emissions across all day to day activities. Indeed the CNPA Local Development Plans repeatedly refers to

reducing carbon emission within the National Park. However this application poses two issues – firstly, people will be taken up to the site via Hybrid vehicles – we do not need additional carbon emissions adding, and so this should be made to be fully electric vehicles only. Secondly, they are proposing to take water up via tractor and bowser. This does not fit with a carbon neutral plan where they will be burning fossil fuels to literally provide something as simple as water to their guests. There must be better, carbon neutral ways of providing water. Under section 5.8 of the CNPA 2015 Local Development Plan, it stated that “In the next five years we will see a step change in the standards of design and sustainability, harnessing the latest technology and thinking to drive forward built development which places reduced demands on diminishing resources and makes a positive contribution to the special qualities and quality of life in the Park.” I cannot see how driving water around in this manor is compatible with this aim, let alone an aim set 5 years ago.

Benefit to the Community

The CNPA Local Development Plan 2020 states that for Glenlivet, ‘development here should be of a small scale, organic nature designed to meet local need’. This application does not seem to help meet any local needs. There are no new jobs proposed, and all revenue raised it not likely to be spent back in our local shops and communities due to the size and scale of Chivas.

Glenlivet Tasting Lodge application 2020-0119/DET

I write to object to the above application for the reasons outlined below. Because there are different planning boards potentially involved and likewise Local Development Plans (LDP) for 2015 and 2020 it has not been an easy task!

Cairngorm National Park Authority (CNPA) LDP 2015 Supporting Economic growth policy 2

Tourism is a mainstay of the Glenlivet economy as part of the Cairngorm National Park Authority (CNPA) and Moray. Many visitors come to distilleries and others enjoy the scenery and wildlife be they walkers or cyclists. Residents also enjoy the attractive landscapes and wildlife and whisky.

Whisky tasting tourists are well provided for both at the Glenlivet and numerous other Speyside distilleries. Walkers and cyclists enjoy a variety of paths across the region, including the Speyside Spur running from Tomintoul to Ballindalloch (and part of the much longer Speyside Way), over Blairfindy Moor (Moor). This route is also recorded as an "other" route in the National Catalogue of Rights of Way kept by ScotWays/SNH and is part of core path, GT24. The Lodge would be adjacent to a section of this core path.

We understand that the access to the Lodge, which plans to be open most of the year, from morning until 10.00 pm will be by vehicles from Glenlivet distillery, including service vehicles. They will drive up a quiet minor road (also part of the Speyside Spur thus used by walkers etc) and access a section of the described Speyside Spur, at present an unsurfaced earth track, from the car park GR NJ190 284, across the Moor, to reach the Lodge. How will vehicles negotiate this undulating track in wet, muddy or snowy conditions? The plans do not make it obvious how this will be managed safely.

The above track is part of the much longer path to/from Tomintoul, the Speyside Way Spur. This path was recently greatly improved last year using HLF (Public) money. Thus, to reach it people must follow the Lodge access track on their journey. Having to share this currently quiet track with regular vehicles will seriously detract from the present pleasure of using it. Will the distillery provide a footpath to the side? Will they seek to remove the gate at the car park, also part of the HLF project, to make vehicular access easier? At present it has a notice on it stating that non-vehicular access is forbidden to deter illegal use!

The policy 4.9 supporting economic growth is intended to protect communities from inappropriate development and loss of existing facilities. We believe these changes to the track equal a loss to the public of present amenity. And as such they would have a negative impact on existing local businesses catering for tourists.

CNPA LDP 2015 Natural Heritage and Biodiversity, Policy 4.6

Much of Britain's natural heritage and biodiversity is in serious decline. Birds such as curlew and lapwings were once common on the Moor, I have seen a red kite close to the proposed site and there are at least 2 bat species known to use the woods near it. There is a reasonable population of brown hares and roe deer, not to mention ever present cattle and sheep often close to or on the track. There is a sizeable pond, (also water supply for the distillery) close to the track which comes

alive in Spring with frogs and toads, that have travelled from who knows how far away. There may be newts too. How will regular road traffic affect all these species? **We are unaware of any species plan or surveys that might address the threats this development will bring.**

In Moray's LDP 2020 the Placemaking Statement mentions the need for habitat creation, but again there seems no mention of such for the Lodge building and any track changes that will disturb wild life from the start of building and thereafter.

From CNPA LDP 2020 5.1

There will be a presumption against any development that does not maintain or enhance the landscape.

Blairfindy Moor is not a wild area in the same sense as the Cairngorm mountains but it is very attractive with open views all round, leading on towards more remote areas and the splendid viewpoint of Carn Daimh, with its views over to the Cromdales and the high Cairngorms in the distance. It is all part of a much wider Area of Special Landscape. There are no buildings in the vicinity of the site so a new build here would neither complement nor enhance its landscape character. Nor would any changes to the access track. **A Tasting Lodge here would have no social nor economic benefits of national importance to outweigh the loss of present landscape character.**

The Moor is now part of an *International Dark Skies Park*, a very exciting development for local tourism, which should greatly extend the tourist season. As the new Lodge would sit inside this Dark Skies Park, open until 10pm, there can be no mitigating arrangements that would prevent lights from vehicles on the track, penetrating the darkness, even though the Lodge itself takes precautions to avoid light pollution. **A new build requiring vehicular access at night is quite incompatible with a Dark Skies Park.**

For all the above reasons I object to this application and ask the planning authorities to reject it.

As the world recovers from the Covid 19 pandemic there is an urgent sense that the future needs to be different from the past. The Glenlivet distillery will be glad to see its tourists back as will those dependent on all the tourists who come to walk, cycle, enjoy wildlife, the beautiful scenery, peace and clean air. Tom Ballantine, chairman of Stop Climate Chaos, suggests that changes to lifestyle need to be supported and built on by government (and that would include local authorities). There would be an increased emphasis on walking and cycling and a significant decrease in driving and flying.

Visitors still need to drive to reach Glenlivet but I suggest the kind of elite tourists, who are likely to travel large distances to come to a Whisky Tasting Lodge on Blairfindy Moor, are totally inappropriate for this changed world.

Johan Doake

5/6/20

Comments for Planning Application 2020/0119/DET

Application Summary

Application Number: 2020/0119/DET

Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mrs Pauline Macrae

Address: 18 Morning Field Place Culduthel Inverness

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It would be extremely disappointing if the proposed building goes ahead in what is a Dark Sky Discovery Park. As far as I understand it, this designation should prevent any lighting in the area.

There are so few places in our country where properly dark skies exist allowing the Milky Way to be visible. This is our children's heritage and it is slowly being destroyed.

This particular Dark Sky Park is the most northerly that allows easy access to dark skies. A lot of effort went into achieving this status and it will be easily spoilt by, not just lighting a building, but also allowing tour vehicles to enter into the darkest areas. It takes 30 minutes to achieve dark adaptation and one second to ruin it with white light.

This application will destroy any dark sky tourism and an important asset in the area.

Comments for Planning Application 2020/0119/DET

Application Summary

Application Number: 2020/0119/DET

Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mr Paul Jenkins

Address: Sula Sgeir, 1 North Street, Dornoch IV25 3HQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object most strongly to this application.

It appears to me as an amateur astronomer that the sponsors of the application have simply not understood the concept and the ethos of an International Dark Sky site.

In the simplest of terms the Dark Sky status implies the absolute minimum of artificial light over the wide area of the Dark Sky site, given that any additional lighting above and beyond that needed for safety reasons (and even then to the absolute minimum required) will degrade the darkness of the skies and lead to the coveted status being removed.

It is not just a matter of the status, however. The whole idea is to be able to view the heavens as they are, and as can rarely now be done world-wide because of the overwhelming light pollution that appertains virtually everywhere other than a few precious sites such as the Glenlivet area. To be able to view the sky like this is immensely beneficial to humans, and to wildlife; this is well documented in academic studies worldwide.

The proposed lodge/bothy will introduce additional, uncontrolled light in itself, and through the passage of vehicles to and from the facility. Given the status described above, it should not be allowed to happen.

I object!

Comments for Planning Application 2020/0119/DET

Application Summary

Application Number: 2020/0119/DET

Address: Land 440M West Of Grant Cottage Glenlivet Ballindalloch Moray

Proposal: Proposed new Tasting Lodge with associated boundary fence and access track at

Case Officer: Emma Wilson

Customer Details

Name: Mr Rainer Herbert

Address: Clach Òir 1 March Street Portgordon

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to express my concerns that this development would definitely threaten the dark sky status, as the passing traffic would make the dark adaptation of the human eye impossible, as it takes about 20mins of uninterrupted darkness to recover.

Together with the building light night sky observations and astrophotography in particular would become quite impossible.

Any proposed "shielding" from the light pollution cannot prevent large amounts of light being dispersed.

Considering the very few dark sites in north east Scotland that allow to see the night sky properly, I strongly object to this development.