

Agenda Item	<b>6.11</b>
Report No	<b>PLN/025/19</b>

## THE HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 5 March 2019

**Report Title:** 18/05564/FUL: Diageo  
Land 195M SE of Talisker Distillery, Carbost

**Report By:** Acting Head of Development Management – Highland

### Purpose/Executive Summary

**Description:** Alterations and extension to existing distillery visitor centre car park

**Ward:** 10 - Eilean A' Cheò

**Development category:** Local Development

**Reason referred to Committee:** 5 or more letters of representation from five different addresses.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### Recommendation

Members are asked to agree the recommendation to Grant planning permission as set out in section 11 of the report.

## **1. PROPOSED DEVELOPMENT**

- 1.1 Planning permission is sought for the construction of a car park which will provide a total of 215 vehicle spaces. The applicant has indicated that the development would come forward in two phases. Phase one would involve reconfiguring the existing car park to provide 36 car spaces (including 5 disabled spaces) and the formation of new parking facilities for a total of 145 cars and 6 motorhome/minibus spaces. Phase two would provide a further 64 car parking spaces. A looped access road will run through the extended car park, providing access to the parking spaces. The access road itself would be formed from bitumen macadam while the parking bays and pedestrian footpath links will be formed from gravel. Landscaping of the proposed car park will involve the introduction of significant areas of new tree planting particularly on the site boundaries and in the vicinity of residential properties. In addition, the proposed landscaping plan illustrates landscaped areas within the car park to break up the parking areas.
- 1.2 Low-level lighting columns are proposed. The lighting will only be operational during visitor centre hours which are as follows:
- January - March: 10:00 - 16:30  
April - June: 09:30 - 17:00  
July - August: 09:30 - 17:30  
September - October 09:30 - 17:00  
November - December 10:00 - 16:30
- The extended car park will also be controlled by a barrier to prevent vehicles from accessing the proposed car park extension outwith visitor centre opening hours.
- 1.3 An existing vehicular access from the B8009 serves the current visitor centre car park. The existing distillery car park provides parking spaces for 42 cars, including 3 blue badge spaces and motorcycle parking for approximately 4 motorbikes.
- 1.4 Pre Application Consultation: None
- 1.5 Supporting Information: Transport statement, Ecological statement, Background and design supporting statement, Site investigation report, Drainage and SUDS strategy, Flood risk assessment
- 1.6 Variations: Revised and Additional plans submitted 04.02.2019. A

## **2. SITE DESCRIPTION**

- 2.1 The application site extends to approximately 1.55 ha, comprising the existing Talisker Distillery visitor centre car park and an area of open ground to the south. The application site lies adjacent to the existing Talisker distillery complex. The Carbost Burn separates the site from the main distillery buildings. To the east of the site are residential properties at Pairc Uilleim which share a boundary with the site as does a further single house to the south known as "Harport Park".

- 2.2 Mature trees define the western edge of the site adjacent to the Carbost Burn as well as part of the northern boundary with a football pitch. There is a coppice of semi-mature trees located within the application site itself adjacent to the property Harport Park and self seeded shrubs to the rear of the houses at Pairc Uilleim.
- 2.3 From the level of the existing car park the ground rises gently to behind the houses at Pairc Uilleim. There is then a change in gradient over a short section where the ground rises up at the side of the football pitch onto a natural plateau which is where the main part of the proposed car park will be situated. Beyond this there is a steep incline at the southern boundary of the site.

### **3. PLANNING HISTORY**

No previous application in relation to this site. Details of recent relevant applications associated with Talisker Distillery are set out below.

- 3.1 13.06.2017 16/05498/FUL Construction of car park to accommodate 63 spaces and associated works [this application is on land further to the west, adjacent to the Carbost jetty and on the seaward side of the road] Approved by committee

### **4. PUBLIC PARTICIPATION**

- 4.1 Advertised: Unknown neighbour

Date Advertised: 28.12.2018

Representation deadline: First deadline 30.12.2018 Re notification deadline 15.02.2019

Timeous representations: 15 representations from 9 separate addresses

Late representations: None

- 4.2 Material considerations raised in response to revised submission following re-notification are summarised as follows:

a) the layout and design of the entrance into the existing car park is not adequate to cope with the volume of traffic that will be generated by this development. This will in turn increase the frequency and duration of traffic jams on the B9008.

b) the location of the motorhome/minibus parking is too close to the residential properties at Pairc Uilleim.

c) access strip should be maintained between boundary with Pairc Uilleim and acoustic fence to allow maintenance.

d) acoustic fencing should be erected prior to any construction taking place.

- 4.3 Material considerations raised in response to original submission are summarised as follows:

- a) disturbance due to noise, dust and fumes to residential properties at Paric Uilleim, in particular the location of the motorhome/minibus parking.
- b) construction traffic causing congestion on the B9008, within the village to the detriment of the local residents and emergency vehicles.
- c) light pollution to neighbouring properties from lighting columns.
- e) littering within the car park
- f) the previous approval for a car park 16/05498/FUL should be constructed as this would have less of an impact on residential properties.
- g) use of the existing car park entrance is not adequate to cope with additional volume of traffic.

4.4 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

5.1 Access Officer: The site is adjacent to the Core Path School Link Path. The introduction of a pedestrian gate(s) to link the site with the core path is recommended.

5.2 Transport Planning Team: Initial response summarised as follows

- The proposed development is welcomed and should help relieve traffic congestion and discourage indiscriminate on-street parking within the village of Carbost.
- The opportunity to consolidate visitor and staff parking in a single location and offer improved pedestrian access to the visitor centre is a better solution than the proposals covered by planning consent 16/05498/FUL.
- It is noted that operational distillery traffic and refuse collection vehicles will continue to enter and leave the site via the existing junction at the west end of the distillery complex.

Further comments made in response to third party contributions

- Maintain support for the proposal as the additional car park will bring significant benefit to the village.
- Improvements to the car park entrance could improve access and egress and general movement of vehicles on the public road.

5.3 Flood Risk Management Team Initial response 19.12.2018 request for further consultation following submission of additional information by applicant.

Further comments 13.02.2019 - No objection subject to conditions that no ground raising takes place in any of the areas identified as being located within the functional floodplain and a 6m buffer measured from the top of the bank of the watercourse should be kept free from all development.

5.4 Environmental Health: Hours of operation during construction are controlled by separate legislation. Conditions should be attached regarding the following; construction dust mitigation, operating hours of the car park and lighting. Use of gravel in parking bays may give raise to noise and dust. Consideration should be given to relocating mobile home parking and pathway.

5.5 Development Plan Team:

The application site is allocated in WHILP for Affordable Housing (Site reference 'AH'), with an indicative housing capacity of 6 units. Developer requirements for the site include: maximise woodland retention, Flood risk Assessment required with any planning application. River set-back, accommodation suitable for the elderly, pedestrian connections to village centre and school.

West Highland and Islands Local Development Plan (West Plan) – Proposed Plan 2017 - The Council is currently at an advanced stage of preparing WestPlan which will replace all existing local plans in that area. The Proposed Plan was agreed by Local Committees in January and February 2017 as the 'settled view' of the Council. At this point it became a material consideration in the determination of planning applications. The Council has since submitted the Proposed Plan and the Council's responses to all outstanding objections made during the consultation process to the Scottish Government for Examination. Their target date for the completion of the Examination is 6th April 2019.

One of the Objectives identified in WHILP for Carbost is "To safeguard and add to local employment opportunities – the distillery underpins local tourism employment and therefore the Plan supports the expansion of this use".

Carbost is identified as a Growing Settlement in WestPlan which means that guiding factors (known as "Placemaking Priorities") have been set to direct development to the best locations rather than setting it out as a Settlement Development Area and site allocations. This approach is aimed at providing a greater level of flexibility for Growing Settlements.

Relevant Placemaking Priorities to this application include:

- To safeguard the importance of the distillery as a major local employer and tourism asset
- To safeguard and add to local employment by supporting retention and expansion of the distillery.

On balance, the proposed development of a car park on land to the south west of the existing distillery is considered to be consistent with the Development Plan. Whilst the proposed use is different from the housing allocation in the existing local plan, the principle of development is considered to be established. The proposed development will help to deliver the Objectives and Placemaking Priorities identified in the existing local plan and emerging local development plan by supporting the distillery, which is a major employer in the area, to expand and the growing tourism market on Skye

5.5 SEPA: Initial response 19.12.2018 object on the grounds of lack of information. Second response 12.02.2019 No objection condition required to ensure that no landraising within the functional flood plan as shown on submitted plan is applied

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Wide Local Development Plan 2012**

28 - Sustainable Design  
34 - Settlement Development Areas  
43 - Tourism  
57 - Natural, Built and Cultural Heritage  
58 - Protected Species  
61 - Landscape  
64 - Flood Risk  
66 - Surface Water Drainage  
77 - Public Access

### **6.2 West Highland and Islands Local Plan 2012 (as continued in force)**

Site is identified as Ref AH – 1.2ha West of Primary school with a housing capacity of 6 units. Developer requirements: maximise woodland retention, Flood risk Assessment required with any planning application. River set-back, accommodation suitable for the elderly, pedestrian connections to village centre and school.

### **6.3 West Highland and Islands Local Development Plan (Proposed Plan ) May 2017**

Carbost is identified as on of the growing and potential community plan settlements with the following placemaking priorities

- To consolidate Carbost's role as the principal local centre within Minginish.
- To support its changing pattern from a collection of dispersed crofting communities to a nucleated community centred on the Talisker Distillery with community and commercial facilities grouped close-by.
- To safeguard the importance of the distillery as a major local employer and tourism asset and consequent need to restrict new housing development in close proximity to it and land onto which it may wish to expand.
- To safeguard and add to local employment by supporting retention and expansion of the distillery, recreational sailing and other tourism growth opportunities including those connected with the gateway to Glen Brittle.
- To concentrate new housing development within walking distance of village facilities notably its employment and primary school.
- To secure improvements to water and particularly sewerage capacity via discussions with Scottish Water and the identification of development growth proposals that meet Scottish Water's 5 growth investment criteria.

### **6.4 Highland Council Supplementary Planning Policy Guidance**

Flood risk and Drainage

## **7. OTHER MATERIAL POLICY CONSIDERATIONS**

### **7.1 Scottish Government Planning Policy and Guidance**

Scottish Planning Policy - Supporting Business and Employment, Managing Flood risk and Drainage.

## **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Determining Issues**

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **Planning Considerations**

8.3 The key considerations in this case are:

- a) Compliance with the development plan and other planning policy
- b) Siting, layout and design
- c) Residential amenity
- d) Means of access
- e) Flood risk
- f) any other material considerations.

### **Development plan/other planning policy**

8.4 The site is within the settlement development area for Carbost as defined in the West Highland and Islands Local Plan (WHILP) (as remains in force). It is identified as a housing site with an indicative capacity for 6 units. Since the adoption of the WHILP in 2010 no proposals for housing have come forward and the land has now been sold to the distillery owners. In their response to a consultation on the current application the Development Plans team have highlighted that the follow-on WestPlan is a material consideration in the determination of the application, as it is the 'settled view' of the Council. The allocation in the WHILP will no longer apply with the future adoption of the WestPlan and that they see little conflict with the placemaking priorities identified for Carbost, which amongst others recognise the importance that the distillery plays as a tourism asset. The placemaking priorities are:

- To consolidate Carbost's role as the principal local centre within Minginish.
- To support its changing pattern from a collection of dispersed crofting communities to a nucleated community centred on the Talisker Distillery with community and commercial facilities grouped close-by.

- To safeguard the importance of the distillery as a major local employer and tourism asset and consequent need to restrict new housing development in close proximity to it and land onto which it may wish to expand.
- To safeguard and add to local employment by supporting retention and expansion of the distillery, recreational sailing and other tourism growth opportunities including those connected with the gateway to Glen Brittle.
- To concentrate new housing development within walking distance of village facilities notably its employment and primary school.
- To secure improvements to water and particularly sewerage capacity via discussions with Scottish Water and the identification of development growth proposals that meet Scottish Water's 5 growth investment criteria.

The policy thrust is therefore to continue to encourage housing proposals within the settlement and close to the distillery but no so close that it restricts the distillery's ability to expand.

### **Siting , design and layout**

- 8.5 In June 2017 planning permission 16/05498/FUL was issued for an extension to the existing overspill car park which is located on the seaward side of the public road to the north west of the distillery. The development was seen as a direct response to the parking issues created by visitors to the distillery within the village. This permission remains extant. However, it is recognised that the capacity of this car park was unlikely to satisfy the excess parking demand experienced during the tourist season. In early 2018 the opportunity arose for the distillery to acquire the land which is the subject of this application. It is considered that co-locating all visitor parking in a single location will help relieve traffic congestion and discourage indiscriminate on-street parking within the village of Carbost. The greater capacity of this larger area of land compared to previous permission will go further towards satisfying parking demand. The opportunity to consolidate visitor and staff parking in a single location and offer improved pedestrian access to the visitor centre is a better solution in principal than the proposals covered by planning consent 16/05498/FUL. The siting of the development is therefore considered in principal to be acceptable.
- 8.6 The design and layout of the car park has been amended since the original submission in order to respond to the issues raised by the planning service, consultees and third party contributors. The initial layout plan included the provision of a row of car parking spaces as well as motorcycle spaces behind the houses on the west side of Pairc Uilleim. A number of representations were received in respect of this proposal and the applicant was advised that they should seek to amend the layout and introduce appropriate mitigation to protect the amenity of these properties and to tackle the issue of potential flood risk. In addition, comments were received about the location of the foul drainage system associated with the property Harport Park which the initial site layout plan failed to take cognisance of. The revised plan which is now presented to committee removes the motorcycle parking and the row of car spaces to the rear of the houses on the west



side of Pairc Uilleim and provides suitable clearance around the Harport Park drainage system. The applicant has also confirmed that there will be no landraising - thereby removing the initial concerns regarding flood risk.

8.7 The revised plan, which all third party and neighbouring properties were notified of, has addressed the majority of the concerns expressed by contributors. However there remains a desire to relocate the six motorhome/minibus bays directly south of the Pairc Uilleim houses. The representations submitted raise concerns about diesel fumes and engine noise when idling associated with these vehicles. It has been suggested by one contributor that these vehicles should park within the existing car park. The applicant has responded to this indicating that given the level of pedestrian movement within the existing car park and the size of these vehicles they consider pedestrian safety would be at risk. In addition the vehicles would be parked as close to the properties within the existing car park. Further comment from the applicant outlines that the location for the motorhome/minibus bays was chosen for the following reasons;

- these vehicles tend to park up for longer periods of time therefore the noise and disturbance associated with vehicles movements will not be as frequent as if the bays were occupied by cars.
- Locating these vehicles close to the entrance of the car park reduces the distance that they have to travel within the car park, which will improve pedestrian safety given the size of the vehicles and their restricted manoeuvrability.

The justification for the location of the motorhome/minibus bays and the layout and design of the car park is considered acceptable. Further consideration regarding the impact of the development on the residential amenity of the neighbouring houses and the mitigation measures proposed is dealt within the following section.

#### Neighbouring residential amenity

8.8 It is fully acknowledged that the impact on the residential amenity of the houses on Pairc Uilleim and the single house Harport Park is central to the assessment and determination of the application. The property Harport Park currently enjoys a high level of amenity with low levels of background noise given its location on the edge of the undeveloped site. The amended layout reduces the number of parking spaces that will be formed in proximity to the boundaries of this property and provides a separation distance of no less than 5 metres. The plan includes an enhancement of the existing coppice by the planting of additional trees. These mitigation measures are welcomed and are considered acceptable. In response to the re-notification the occupier of this property confirmed their support for the amended plans which addressed their original concerns.

8.9 There are a total of 6 properties at Pairc Uilleim consisting of three blocks of semi detached two storey units. Two of these properties share a boundary with the existing car park the other units share rear and side garden boundaries with the application site. The development of the car park will have limited impact on the units which share a boundary with the existing car park. In order to address the impact of the development on the other properties the applicant proposed a number of mitigation measures. In addition to amending the layout of the car park and restricting access to and lighting of the car park outwith visitor opening hours,

it is also proposed to construct a 2m high acoustic fence along the rear and side boundaries of these properties. Acoustic fencing is specifically designed to protect noise sensitive premises from noise pollution. Visually, it has little greater impact than standard garden fence. At its closest, it will be about 4m from the rear and side elevations of nos. 2, 3, 4 and 5. Between the parking spaces and the acoustic fencing landscaping is to be introduced which will combine earth bunding and tree planting. The applicant has also confirmed that the gravel proposed for the parking bays will be contained within a honeycomb membrane which stabilises the gravel and prevents it from dispersing, which might otherwise cause dust. It is considered that these mitigation measures will reduce adverse effects of the development on the residential amenity of these properties to an acceptable level.

### **Means of Access**

- 8.10 Access to the main parking area will be taken direct off the rear of the existing car park as a result all vehicles will use the existing entrance/egress from the public road. A number of contributors have raised concerns about this arrangement suggesting that it will lead to congestion on the public road as vehicles negotiate the junction and recommend that dedicated access and egress junctions are formed to separate traffic. The transport planning team have commented that, although this suggestion is not part of the proposals, it is not without merit. Their response highlights how the proposals will remove the need for on site parking and the benefits of locating all of the visitor parking adjacent to the distillery thereby removing the current practice which requires pedestrians from the over flow car park site to walk along the public road. It is concluded that the access arrangements for the development are acceptable and will have a positive impact on road and pedestrian safety.

### **Flood Risk**

- 8.11 The developer requirements associated of the current development plan allocation for the site set out the need for a flood risk assessment to be undertaken given the proximity of the Carbost Burn and coastal waters. SEPA and the flood risk management team have reviewed the assessment submitted by the applicant and have confirmed that they have no objections to the proposals provided that conditions are attached which secure that there will be no ground raising in those areas of the site which are identified as being located within the functional floodplain. These areas are the existing car park and where the access road will be routed from the existing car park past the rear of the properties of Pairc Uilleim. A condition is also required to maintain a 6m buffer strip from the top of the Carbost Burn embankment free from any development other than in one section along the embankment where a limited number of the car parking bays will encroach. These details are contained within the revised drainage layout plan which has been considered by consultees and third parties.

### **Other material considerations**

- 8.12 Comment is made by third parties regarding littering of the site. The general appearance of the development is a material consideration in the determination of the application and the quality of landscaping will be key to the success of the development at integrating into the surrounding area. The development will result in

the loss of two trees, where the access road routes from the land behind Pairc Uilleim up to the main section of the car park. It is considered essential to successful integration into the wider landscape that semi mature trees and shrubs are used from the outset. This matter will be dealt with by way of a condition. A request by Skye and Lochalsh Housing Association who own the properties at Pairc Uilleim that a maintenance access strip is provided between the acoustic fencing and the boundaries of these properties forms part of the landscaping proposals and can also be controlled by a condition. As regards littering by users of the car park this is a responsibility of the applicant and a site management matter.

### **Non-material considerations**

- 8.13 Contributors have suggested that double yellow lines should be introduced along the B9008. The introduction of parking restrictions is a matter for the Council to consider as Road Authority but it is not a material planning consideration. Comments have been made with respect to users of motor homes dumping waste in ditches across the Isle of Skye and concerns that such practices could occur in the car park. Illegal dumping is enforced under separate statutory legislation and is beyond the remit of the Planning Authority. As the car park will be in private ownership the manner in which it is used by the public will be under the direct control of the applicant.

### **Matters to be secured by Section 75 Agreement**

- 8.14 None

## **9. CONCLUSION**

- 9.1 The site lies within the settlement development area of Carbost as defined in the current adopted West Highland and Islands Local Plan. Whilst the proposed use does not directly accord with the allocation identified it is considered that there are sufficient material considerations that merit the application being approved. The principal of development on the site is supported through the development plan and the placemaking priorities contained within the soon to be adopted WestPlan which recognise the importance that the distillery plays as a tourism asset. The site will facilitate the delivery of a significant number of parking spaces which will alleviate parking congestion within the village and the associated concerns around pedestrian safety. Subject to the mitigation measures proposed as part of the development and conditions both of which will mitigate the impact on the closest residential properties, the development can be supported.
- 9.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable

- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

**11. RECOMMENDATION**

<b>Action required before decision issued</b>	N
Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

**Subject to the above**, it is recommended that planning permission be **GRANTED** subject to the following: **Conditions and Reasons**

1. No development, site excavation or ground works shall commence until a construction management plan has been submitted to and agreed in writing by the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details. Detail within the plan shall address the following matters:
  - measures to control construction-related dust.
  - measures to control construction- related mud being brought onto the public road.
  - measures to control the movement of heavy goods vehicles to avoid all nearby school opening and finishing times.
  - details of the site construction compound and staff parking.
  - a phasing plan for the construction of the acoustic fencing

**Reason:** To allow the Planning Authority to consider these matters in more detail in the interest of road safety and residential amenity, and to ensure that the acoustic fencing is installed as timeously as possible after construction of the section of access road from the existing car park past the rear of Pairc Uilleim.

2. The barrier as shown on the approved plan shall be installed prior to the car park extension being brought into use. Thereafter it shall be operated to prevent use of the parking bays outwith the following operational hours of the visitors centre:

January - March: 10:00 - 17:00

April - June: 09:30 - 17:30

July - August: 09.30 – 18:00

September - October 09:30 - 17:30

November - December 10:00 – 17:00

**Reason:** In order to safeguard the amenity of the neighbouring properties

3. The lighting system shall be fitted with an automatic cut-out timer to ensure that the system cannot operate outwith the following operational hours of the visitors centre:

January - March: 10:00 – 17:00

April - June: 09:30 - 17:00

July - August: 09.30 - 17:30

September - October 09:30 - 17:30

November - December 10:00 - 17:00

**Reason:** In order to safeguard the amenity of neighbouring properties

4. All landscaping works shall be carried out in accordance with the scheme and plans approved as part of this permission. All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out in the first planting and seeding seasons following the commencement of the development and shall be completed prior to the car park extension hereby approved being brought into use. All trees identified in the scheme shall be meet the girth width for Extra Heavy Standard as defined British Standard BS 3936-1 Nursery Stock Specification for Trees and Shrubs

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

**Reason:** In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

5. No development, site excavation or groundwork shall commence until all retained trees have been protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction, or any superseding guidance prevailing at that time). These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority

**Reason:** In order to ensure the protection of retained trees, which are important amenity assets, both during construction and thereafter.

6. There shall be no landraising within the functional flood plane and a 6m buffer shall be maintained with the Carbost Burn all as shown on Drawing AZ70796:00:003A "Proposed Site Plan".

**Reason:** To ensure that there is no loss to the functional flood plane and that development does not encroach onto riparian buffer strips of the Carbost Burn, unless otherwise approved.

## **REASON FOR DECISION**

The site lies within the settlement development area of Carbost as defined in the current adopted West Highland and Islands Local Plan. Whilst the proposed use does not directly accord with the allocation identified it is considered that there are sufficient material considerations which warrant the application being approved. The principal of development on the site is supported through the development plan and the placemaking priorities contained within the soon to be adopted WestPlan which recognises the importance that the distillery plays as a tourism asset. The site will facilitate the delivery of a significant number of parking spaces which will alleviate parking congestion within the village and the associated concerns around pedestrian safety. Subject to the mitigation measures proposed as part of the development and conditions hereby attached both of which will mitigate the impact on the closest residential properties, the departure from the development plan is justified.

## **TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

## **FOOTNOTE TO APPLICANT**

### **Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Accordance with Approved Plans and Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

[http://www.highland.gov.uk/info/20005/roads\\_and\\_pavements/101/permits\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

### **Mud and Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**Construction Hours and Noise-Generating Activities:** You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place

outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

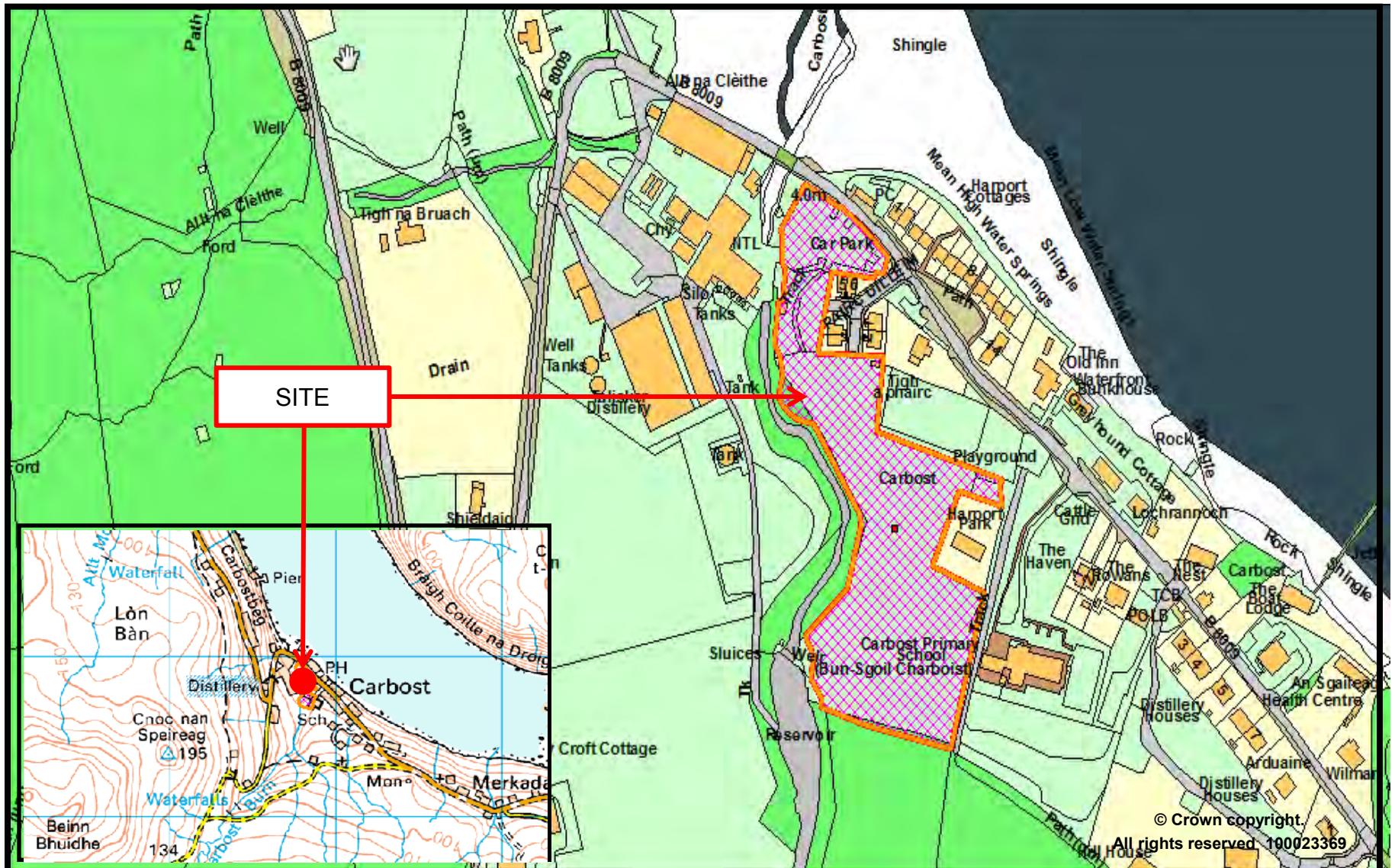
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

### **Protected Species – Halting of Work**

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: [www.snh.gov.uk/protecting-scotlands-nature/protected-species](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

Designation: Acting Head of Development Management – Highland  
Author: Erica McArthur  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Location Plan  
Plan 2 - LAYOUT PLAN  
Plan 3 - DRAINAGE LAYOUT PLAN  
Plan 4 - DRAINAGE LAYOUT PLAN (2)  
Plan 5 - PROPOSED LIGHTING  
Plan 6 - SECTION PLAN - 2M ACOUSTIC FENCE





The Highland Council  
Comhairle na Gàidhealtachd

Planning and Development Service

Location Plan  
18/05564/FUL

Alterations and extension to existing distillery visitor centre car park  
March 2019



Scale:



**KEY**

	Bitumen macadam surfaced road
	Gravel surface
	Reinforced grass surface
	Decorative gravel footpath
	Meadow grassland with mown amenity grass verge around the car park
	Proposed tree planting
	Proposed woodland (Oak, Birch, Rowan, Hazel & Willow)
	4m lighting column to car park. Bollard light to footpath (Car park lighting only operational during visitor centre opening hours)
	Post and wire boundary fence
	2m high timber acoustic fence
	Talisker Distillery land ownership boundary
	Planning Application boundary
	Motorhome / bus parking space
	Car parking space

**NOTES:**

**Proposed visitor parking spaces:**

**Phase 1**  
 145 no. spaces in new car park (inc 2no. electric vehicle charging bays)  
 36 no. spaces in existing car park (inc 5 disabled spaces)  
 Increased motorcycle parking  
 6 motorhome / minibus spaces  
**Total: 181 car park spaces**

**Phase 2 car park extension**  
 Nominally 64 car park spaces

Area of proposed car park + 1.58 hectares (inc existing car park)

**Tree Schedule**

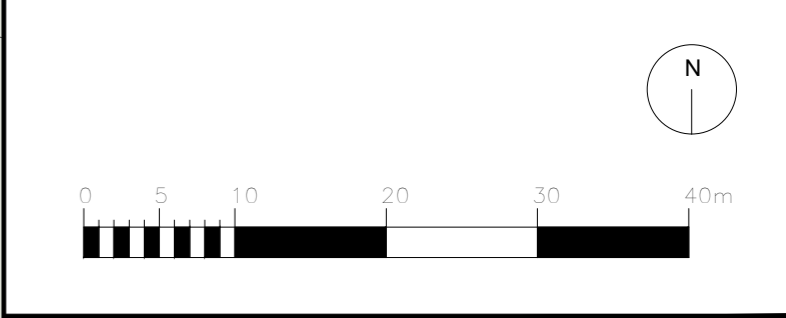
**Individual & groups**  
 Betula pubescens 2x feathered 175-200 Br  
 Betula pubescens 2x feathered 8-10 250-300 Br  
 Quercus petraea 2x feathered 6-8 175-200 Br  
 Sorbus aucuparia 2x feathered 175-200 Br  
 1.5-2m centres, single turned stake and spiral guards / shelterguard.

**Woodland blocks**  
 Betula pubescens 1+1 60-80 Br  
 Quercus petraea 1+1 60-80 Br  
 Sorbus aucuparia 1+1 60-80 Br  
 1.5m centres, groups or 3-5 trees, single stake and shelterguards.

**Understorey & edge mix**  
 Salix aurita 0/1 60-80 Branched Br  
 Corylus avellana 1+2 60-80 branched C/Br  
 1.5m centres, mix of plants, single stake and shelterguards.

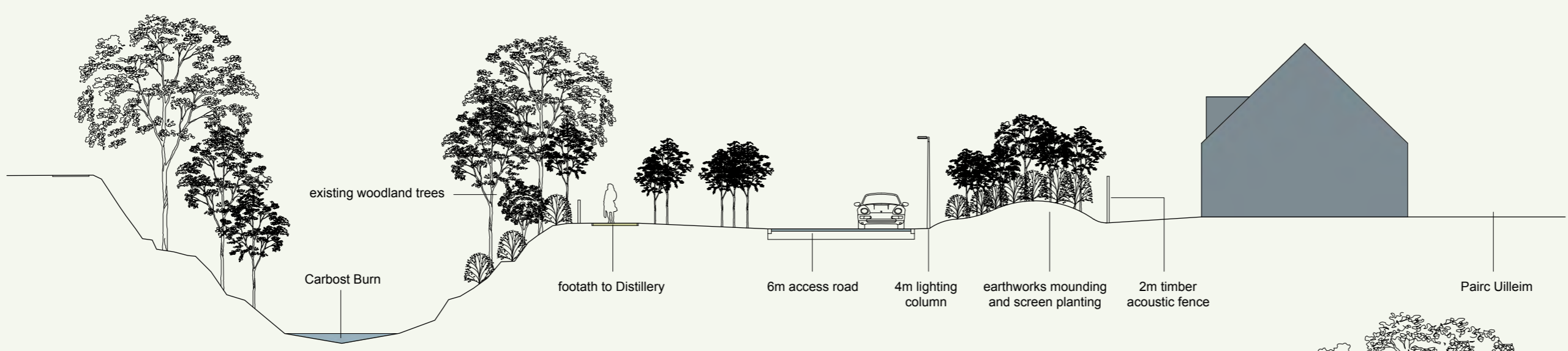
**Grass Mix**  
 Combination of  
 Scotia Seeds MG3 Northern Hay Meadow 3g/sqm  
 Scotia seeds Flowering Lawn 3g/sqm

**Bulbs**  
 Planted in groups along Carbost Burn woodland edge / footpath  
 Hyacinthoides non-scriptus 50%  
 Galanthus nivalis 50%

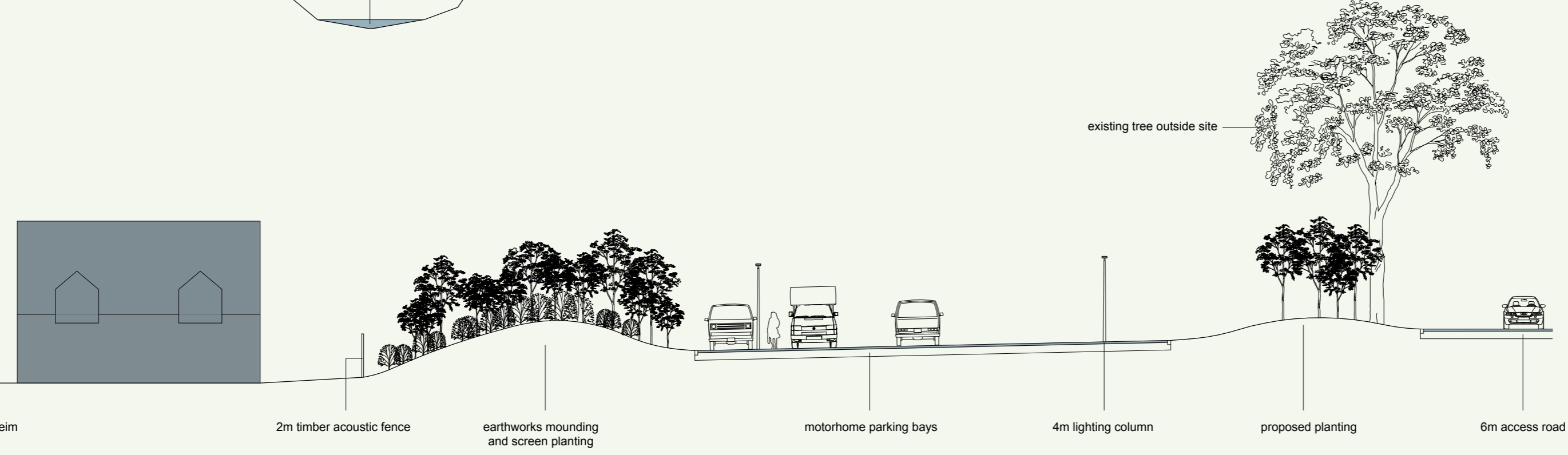


Revision	Description	Date	Initial
P01	Issued for Planning	30-11-18	SR
P02	General revisions to layout in response to planning application comments & amendment to car parking numbers.	25-01-19	SR

**Section A'**  
Scale 1:200



**Section B'**  
Scale 1:200



ESTD 1830  
**TALISKER**

thepaulhogarthcompany

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 bankhead farm steading - south queensferry - edinburgh  
 telephone: 0131 331 4811  
 email: edinburgh@paulhogarth.com

urban design  
 EH30 9TF  
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 www.paulhogarth.com

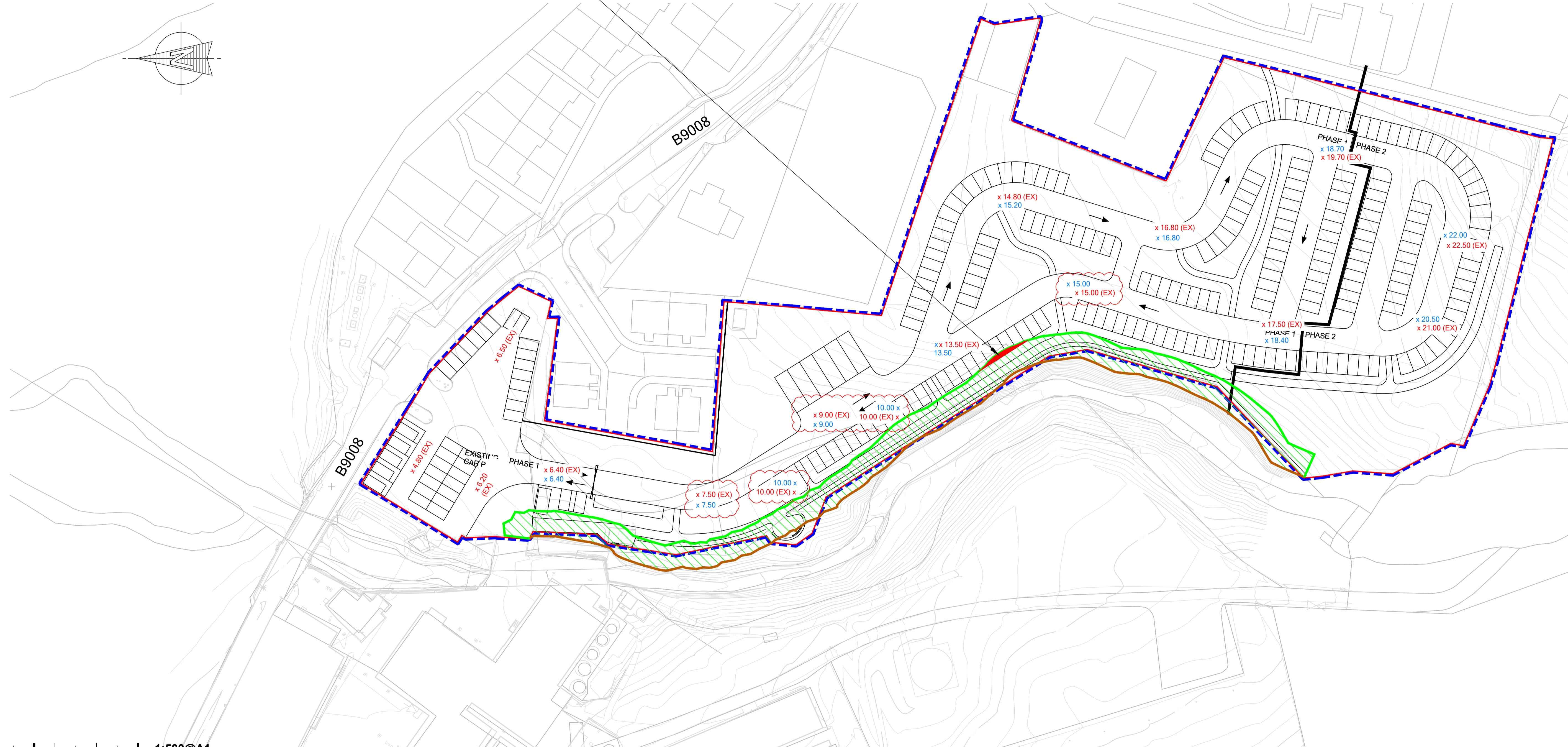
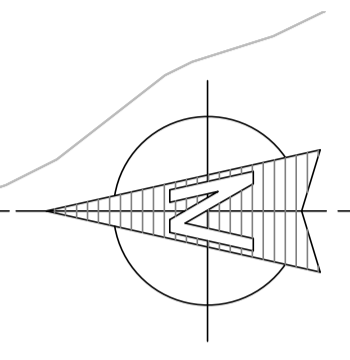
project title  
**TALISKER DISTILLERY VISITOR CAR PARK**

drawing title  
**LANDSCAPE LAYOUT**

drawn by SR	checked by PH	scale @ A1 1:500	revision P02
project no. 1205	date 24/11/2018	drawing no. 001	

status:  
**PLANNING**

The 6m buffer strip has been marked from the Top of Bank, in line with "Highland Council Flood & Risk DIA Supplementary Guidance". A small section of the buffer strip encroaches into some of the reinforced gravel car parking spaces. The soft landscaping nature of the development near the buffer strip; gravel footpath, gravel car park & grass verges will allow access to the watercourse and ensure bank stability.



- LEGEND**
- PLANNING APPLICATION BOUNDARY (15860m<sup>2</sup>)
  - LAND OWNERSHIP BOUNDARY
  - TOP OF BANK
  - 6m BUFFER ZONE
  - x 6.20 (EX) EXISTING ROAD LEVELS
  - x 6.40 PROPOSED FINISHED ROAD LEVEL

- Notes**
1. GRADIENTS VARY BETWEEN 1:12 AND 1:30 FOR PHASE 1 WORKS
  2. GRADIENTS IN PHASE 2 TO MATCH SURROUNDING TOPOGRAPHY
  3. EXCESS EXCAVATED TOPSOIL TO BE KEPT ON SITE

Revisions	Date	Drn.

Revisions	Date	Drn.
A	30.01.19	MJ

**DIAGEO**

PLANNING  
DRAWING

**blyth+blyth**

Comerstone, 60 South Gyle Crescent  
Edinburgh EH12 9EB

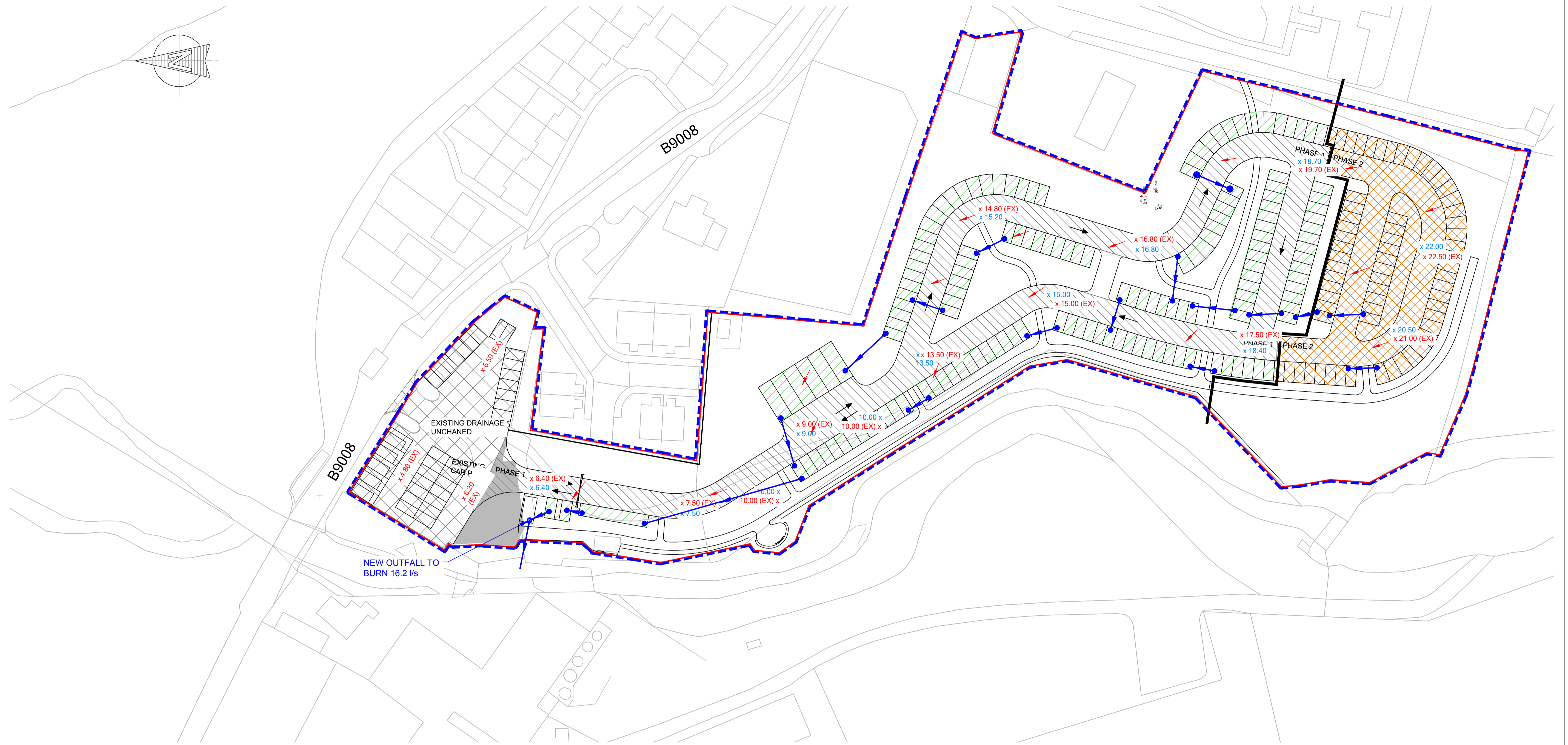
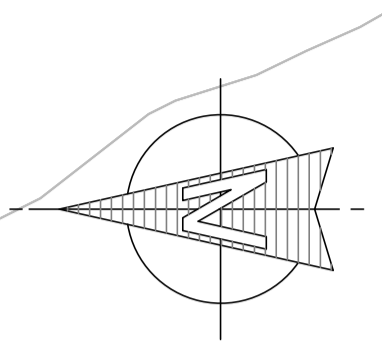
Email: edinburgh@blythandblyth.co.uk Telephone: 0131 474 2700  
www.blythandblyth.co.uk

**PROPOSED SITE PLAN**

Drawn: MJ	Ck'd: N O'S	Scale: 1:500 @ A1
Date: 30/11/18	Date: 30/11/18	DO NOT SCALE

Drawing No. **AZ70796:00:003** Revision **A**

**TALISKER DISTILLERY**



0 5 10 15 20 25m 50m 1:500@A1

**LEGEND**

- PLANNING APPLICATION BOUNDARY (15860m<sup>2</sup>)
- - - LAND OWNERSHIP BOUNDARY
- x 6.20 (EX) EXISTING ROAD LEVELS
- x 6.40 PROPOSED FINISHED ROAD LEVEL
- PROPOSED DRAINAGE
- PROPOSED DRAINAGE OUTFALL
- PROPOSED CAR PARK FALLS

**DRAINAGE KEY**

INLET ——— OUTLET

— DENOTES 225ø uPVC AT GRAVEL PARKING BAY LOW POINTS

- Notes**
1. GRADIENTS VARY BETWEEN 1:12 AND 1:30 FOR PHASE 1 WORKS
  2. GRADIENTS IN PHASE 2 TO MATCH SURROUNDING TOPOGRAPHY
  3. EXCESS EXCAVATED TOPSOIL TO BE KEPT ON SITE
  4. FOR CONSTRUCTION DETAILS SEE DRAWING AZ70796:00:006
  5. FOR SURFACE FINISHES SEE DRAWING AZ70796:00:004
  6. REFER TO REPORT "R001 DRAINAGE IMPACT ASSESSMENT & SUDS STRATEGY" BY BLYTH & BLYTH- ATTENUATION PROVIDED IN GRAVEL PARKING BAY VOIDS: REQUIRED = 40.0m<sup>3</sup> PROVIDED = 215.0m<sup>3</sup>

Revisions	Date	Dm.
A	14.01.19	SC
B	30.01.19	MJ

Revisions	Date	Dm.
A	14.01.19	SC
B	30.01.19	MJ

Revisions	Date	Dm.
A	14.01.19	SC
B	30.01.19	MJ

Revisions	Date	Dm.
A	14.01.19	SC
B	30.01.19	MJ

**DIAGEO**

PLANNING  
DRAWING

**blyth+blyth**

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Edinburgh EH12 9EB

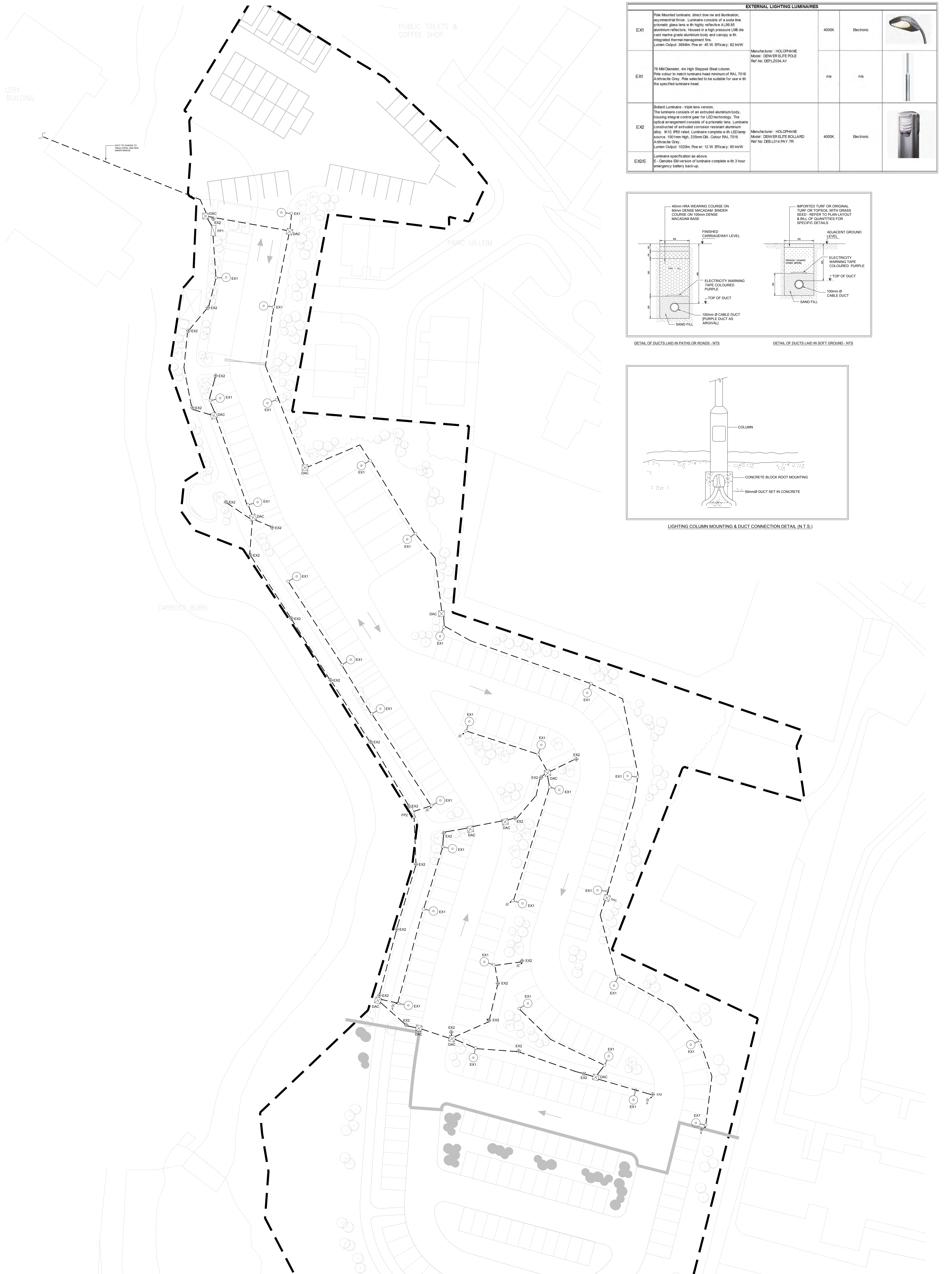
Email: edinburgh@blythandblyth.co.uk Telephone: 0131 474 2700  
www.blythandblyth.co.uk

TALISKER DISTILLERY

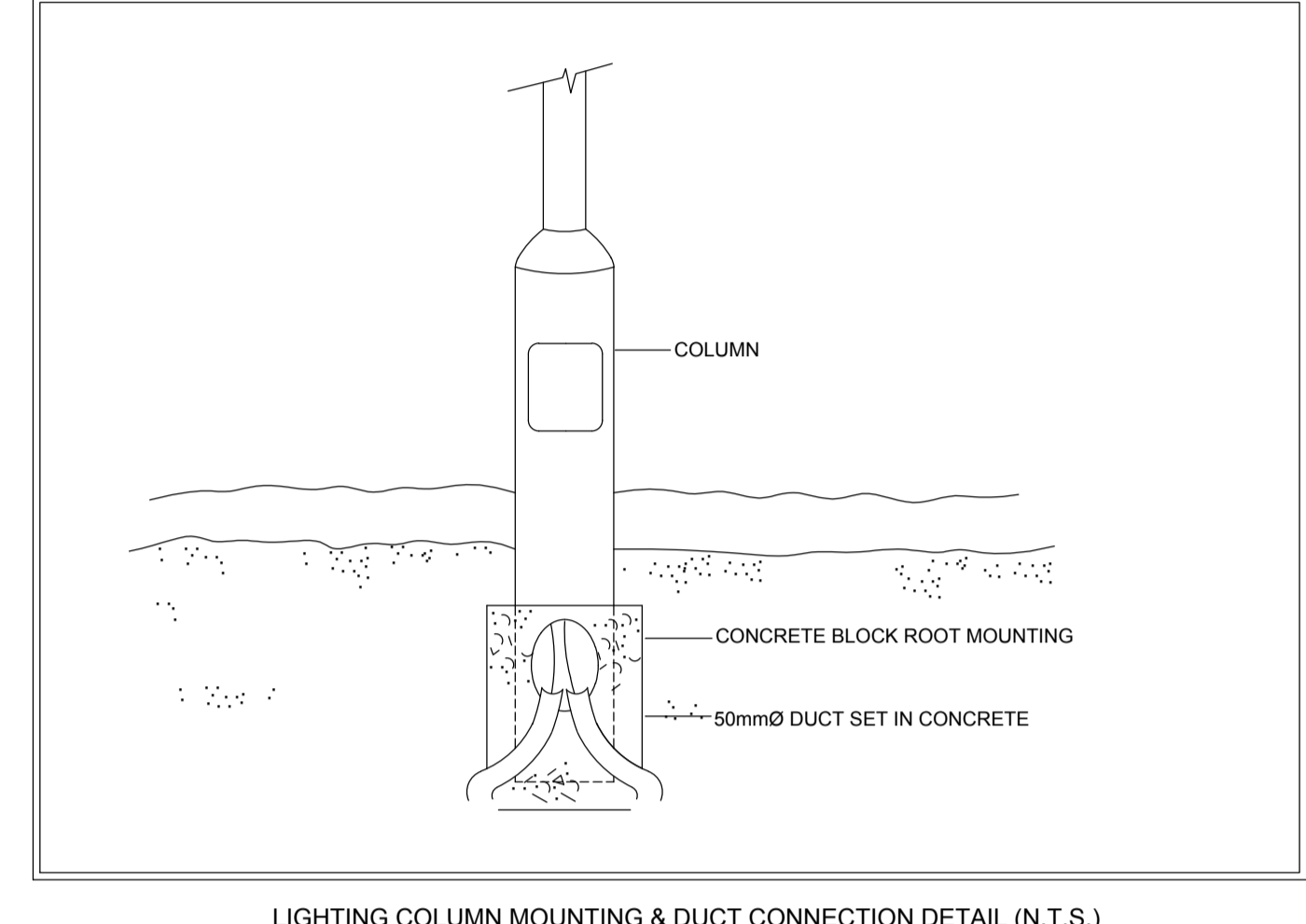
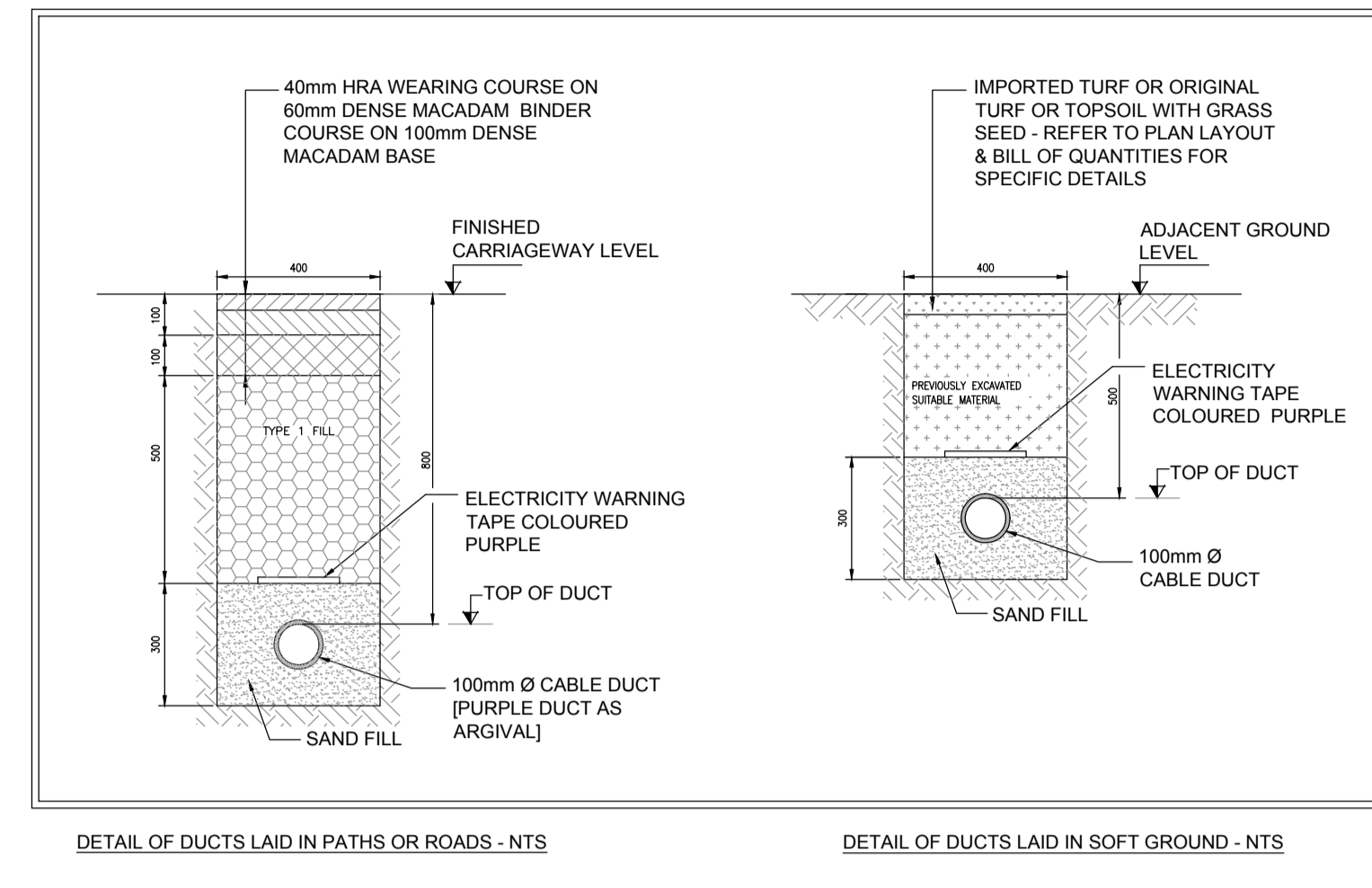
PROPOSED DRAINAGE PLAN

Drawn: MJ	Ck'd: N O/S	Scale: 1:500 @ A1
Date: 30/11/18	Date: 30/11/18	DO NOT SCALE

Drawing No. **AZ70796:00:005** Revision **B**



EXTERNAL LIGHTING LUMINAIRES					
EX1	Pole Mounted luminaire, direct down beam illumination, asymmetrical throw. Luminaire consists of a soda lime prismatic glass lens with highly reflective AL5085 aluminium reflectors. Housed in a high pressure LMG die cast marine grade aluminium body and canopy with integrated thermal management fins. Lumen Output: 3694lm. Pow er: 45 W. Efficacy: 82 lm/W	Manufacturer: HOLOPHANE Model: DENVER ELITE POLE Ref No: DEPL2034.AY	4000K	Electronic	
EX1	76 MM Diameter, 4m High Stepped Steel column. Pole colour to match luminaire head minimum of RAL 7016 Anthracite Grey. Pole selected to be suitable for use with the specified luminaire head.		n/a	n/a	
EX2	Bollard Luminaire - triple lens version. The luminaire consists of an extruded aluminium body, housing integral control gear for LED technology. The optical arrangement consists of a prismatic lens. Luminaire constructed of extruded corrosion resistant aluminium alloy. IK10, IP65 rated. Luminaire complete with LED lamp source. 1001mm High, 235mm DA. Colour RAL 7016 Anthracite Grey. Lumen Output: 1020lm. Pow er: 12 W. Efficacy: 85 lm/W	Manufacturer: HOLOPHANE Model: DENVER ELITE BOLLARD Ref No: DEBL1416.AY-TR	4000K	Electronic	
EX2E	Luminaire specification as above. E - Denotes EM version of luminaire complete with 3 hour emergency battery backup.				



**NOTES**

- This drawing must not be used for construction or installation purposes unless expressly stated.
- Do NOT scale off this drawing. Always work to noted dimensions.
- All dimensions must be verified on site before completing shop drawings or setting out the work.
- This drawing is to be read in conjunction with the technical specifications and associated equipment schedules as prepared by Atelier Ten.
- This drawing is to be read in conjunction with all architectural and structural engineers drawings and associated Atelier Ten drawings.

**6. THE EXTERNAL LIGHTING SCHEME TO THE NEW CAR PARK AREAS AND WALKWAY HAS BEEN DESIGNED WITH REFERENCE TO BS5489-2:01 AND THE ILLUMINATION LEVEL REFERRED TO IN TABLE 5.**

**7. THE ELECTRIC VEHICLE CHARGING POINT IS SELF ILLUMINATING AND SHALL COMPLY WITH BS 5294:2 TABLE 5.6.**

**8. ALL LUMINAIRES SHALL BE EQUIPPED WITH ENERGY EFFICIENT LIGHT EMITTING DIODES OFFERING NO ECLIPSE TO 190 DEGREE.**

**9. ALL EXTERNAL LIGHTING WILL BE SET FOR PART DIM AFTER THE HOURS OF 2300 TO 0400H.**

**10. ALL EXTERNAL LIGHTING SHALL BE CONTROLLED VIA TIMECLOCK AND PHOTOCELL.**

**11. ESCAPE LIGHTING WILL COMPLY WITH BS 5266.**

Rev.	Description	Date	Drawn	Checked	Approved

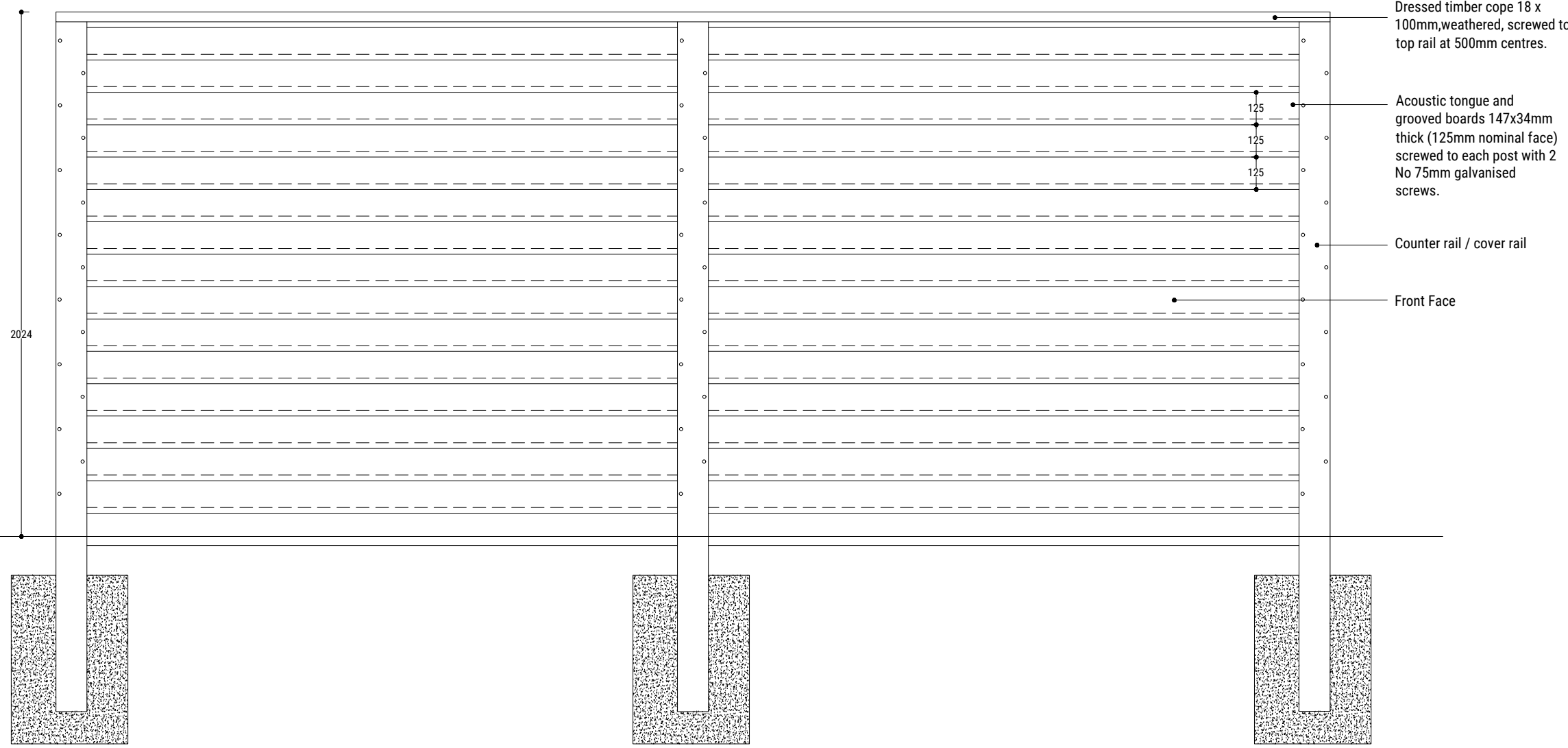
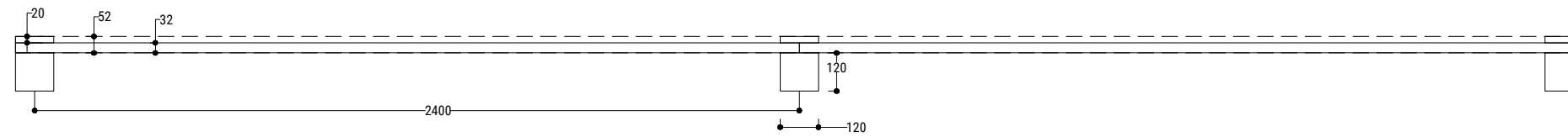
**ISSUED FOR INFORMATION**

PROJECT: TALISKER DISTILLERY  
 ARCHITECT: MICHAEL LARD ARCHITECTS  
 TITLE: ELECTRICAL SERVICES CAR PARK LIGHTING SITE PLAN

DRAWN: NC    DESIGNED: NC    CHECKED: RM    APPROVED: NC    DATE: NOV18    SCALE: 1:250 @A0    Rev: P

**atelier ten**    DRAWING No: **6526-60-SP-01**

Environmental Design Consultants + Building Services Engineers    Atelier Ten Ltd, Bearfoot House, 39 Hanover Street, Edinburgh, EH2 2JY  
 T: +44 (0)131 2020 020    E: email.edinburgh@atelier-ten.com

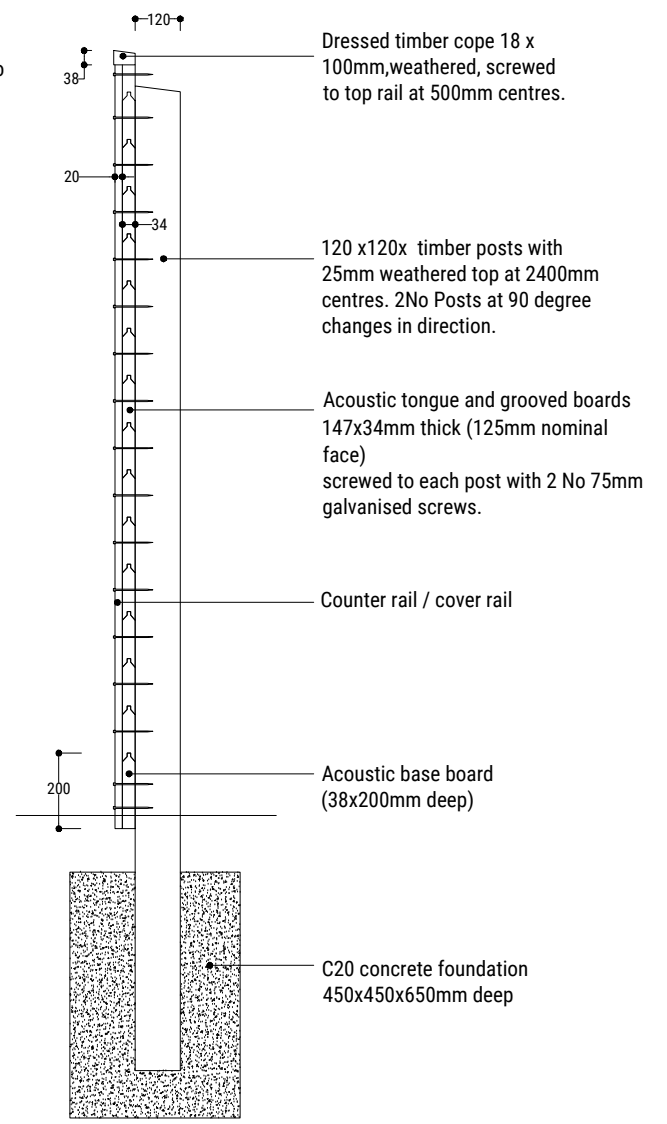


Dressed timber cope 18 x 100mm, weathered, screwed to top rail at 500mm centres.

Acoustic tongue and grooved boards 147x34mm thick (125mm nominal face) screwed to each post with 2 No 75mm galvanised screws.

Counter rail / cover rail

Front Face



Dressed timber cope 18 x 100mm, weathered, screwed to top rail at 500mm centres.

120 x 120x timber posts with 25mm weathered top at 2400mm centres. 2 No Posts at 90 degree changes in direction.

Acoustic tongue and grooved boards 147x34mm thick (125mm nominal face) screwed to each post with 2 No 75mm galvanised screws.

Counter rail / cover rail

Acoustic base board (38x200mm deep)

C20 concrete foundation 450x450x650mm deep

the paul hogarth company

LANDSCAPE ARCHITECTURE / URBAN DESIGN / PLANNING

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notes

Do not scale from drawing, use figured dimensions only.  
 All dimensions are to be checked on site by contractor prior to commencement of all work.  
 Discrepancies should be reported immediately.  
 This drawing is to be read in conjunction with all other TPHC drawings and specification.  
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revision

description

date

author

created 29/01/2019 drawn SR checked . scale @ A3 1:20

project number 00000 drawing number 901 revision .

client DIAGEO

project TALISKER DISTILLERY

drawing 2M ACOUSTIC FENCE

status COMMENT / APPROVAL