Agenda Item	6.1
Report No	PLN/036/20

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 20 October 2020

20/00848/FUL: Diageo Scotland Ltd Report Title:

Talisker Distillery Carbost Isle Of Skye IV47 8SR

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

1.1 **Description:** Proposed visitor centre cafe and private client space together with

alterations to existing visitor centre car park, landscaping and

associated works

1.2 Ward: 10 - Eilean A' Cheò

Development category: Local

Reason referred to Committee: Objections from more than 8 separate 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.

2. Recommendations

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

3. PROPOSED DEVELOPMENT

3.1 The application consists of two elements. Firstly, planning permission is sought for the erection of a single storey commercial building. The proposal is designed as two main spaces, comprising a public café and viewing terrace together with a private guest facility with private view terrace. The spaces are linked by a back of house service space.

A simple palette of materials is proposed for the exterior of the building. Specifically, it is proposed to use a standing seam roof, vertical timber cladding to the walls and black metal window frames. The public café and terrace have a footprint of 22.25m x 8.1m, the private guest facility has a footprint of 12.54m x 6.6m. Both elements of the building will have ridge heights of 10.06m and eaves of 7.62m.

The landscaping scheme proposes the retention of an existing specimen tree in the southern corner of the site and the land immediately around the building being laid under grass with a number of rock and earthwork features including additional shrubs planting, dedicated footpaths to the building's entrances, a service area and a controlled entrance parking area for up to 4 cars.

- 3.2 The second element of the application consists of alterations to and a reconfiguration of the existing visitor centre car park at the distillery around its entrance from the B8009. The alterations propose the creation of a new entrance point into the car park, allowing for separate access and egress points to be established.
- 3.3 Pre-Application Consultation: Informal pre application submitted in February 2019.
- 3.4 Supporting Information: Drainage Statement, Floor Risk assessment, 3D visualisations.
- 3.5 Variations: Revised plans submitted Marchand August 2020,

4. SITE DESCRIPTION

4.1 The site of the visitor/private café consists of an area of visitor centre overspill car parking, located on the seaward side of the B8009 to the west of the distillery. The land surrounding the hardstanding, which forms the car park, is maintained under grass by the Distillery. The entrance into the overspill car park also provides vehicular access to Carbost slipway and pier. The closest residential property to the proposed visitor//private café is located on elevated ground some 40m or so to the west of the overspill car park. The property is owned by the Distillery. The car park at the visitor entrance to the distillery is located on the southern side of the B8009. On the opposite side of the road lies a row of semi-detached houses and a small detached building which provides a takeaway outlet and public conveniences.

5. PLANNING HISTORY

Site of Proposed Visitor Café/ Private Guest Space

5.1 16/05498/FUL Construction of car park to Granted 13.06.2017 accommodate 63 spaces and associated works

5.2 14/01050/FUL Upgrade existing hardcore- Granted Completed surfaced hardstanding area to form over-flow car park for 11 cars and coach turning / drop-off area.

Site of proposed alterations and reconfiguration of car park entrance

5.3 18/05564/FUL Alterations and extension to Granted Completed existing distillery visitor centre car park

6. PUBLIC PARTICIPATION

6.1 Advertised: Unknown Neighbour

Date Advertised: 06.03.2020

Representation deadline: 20.03.2020

Timeous representations: 33

Late representations: N/A

- 6.2 Material considerations raised are summarised as follows:
 - a) Location of café will require large volume of pedestrians to cross the public road.
 - b) Proposed pedestrian crossing is inadequate given the volume of traffic on the B8009 and the restricted nature of the public road.
 - c) Location of café will result in conflict between pedestrians and HGV's accessing/egressing the Distillery.
 - d) B8009 required to be double tracked.
 - e) Conflict between pedestrians and vehicles access the pier.
 - f) Disable parking is too remote from building.
 - g) Potential land contamination as site involved infill material which came from a fire.
 - h) Inadequate publicity.
 - i) Potential of smoke from fire pit restricting visibility on the public road.
 - j) Loss of greenspace, which is used by local residents, as a popular space for relaxing and dog walking.
 - k) Alternative land available.
 - I) Concern about discharge of foul drainage from the café onto the beach
 - m) Building will have a detrimental impact on the visual amenity of the waterfront.
 - n) Development would lead to flooding on the public road.
 - o) Litter
- 6.3 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.

7. CONSULTATIONS

7.1 **Flood Risk Management Team** – No objections. Response summarised as follows

- The flood risk assessment (FRA) and modelling provided by the applicant indicates that the proposed café is outwith the 0.5% flood extents of both fluvial and coastal sources. This includes 50% culvert blockage scenarios of the two structures on the Allt na Cléithe.
- The finished floor level of the building is above the minimum recommended in the (FRA)
- Suitable emergency exit routes for pedestrians and vehicles in the event of a flooding event.
- Accept proposals to drainage proposals as presented.

7.2 **Contaminated Land-** No objections. Response summarised as follows

 Recommend that a condition is attached to any permission to allow for investigation into ground conditions given that part of the site is recorded has being used as a refuse tip.

7.3 **Transport Planning Team** – No Objections. Responses summarised as follows

- Initial response 26.03.2020 requested additional information, in respect of the access and servicing arrangements for the café proposals, the pedestrian crossing point of the B8009 and more detailed plans of the alterations proposed to the existing visitor car park.
- Recommend that a financial contribution towards the introduction of the 20mph limit is made to cover the legal, administrative and engineering costs involved.
- Construction Traffic Management Plan required
- Second Response 06.08.2020 accepted additional information submitted by applicant with respect to the matters highlighted in initial consultation response. Request that agreed remedial works or a financial contribution is made toward the long-term restoration of the 'green walkway' on the B8009.
- Final Response 20.08.2020 stated financial contribution towards 20mph speed limit will not be greater than £1500. Works to the greenway will require to be completed prior to the café becoming operational.

7.4 **SEPA** – No Objections. Responses summarised as follows

- Initial response 24.04.2020 requested additional information with respect to the potential impact on the development of a 50% blockage on the box culvert and pipe culvert on the All na Cléithe. Object until details of the drainage layout are submitted which indicate roof water and access road is drained to SUDs. Clarification required about foul drainage arrangements.
- Final Response 14.08.2020 confirm removal of previous objection based on the revised site layout, which now accords with SPP and HwLDP in relation to surface water drainage and flood risk.

8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

8.1 **Highland Wide Local Development Plan 2012**

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 31 Developer Contributions
- 43 Tourism
- 44 Tourist Accommodation
- 49 Coastal Development
- 57 Natural, Built and Cultural Heritage
- 63 Water Environment
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 77 Public Access

8.2 West Highland and Islands Local Development Plan 2019

8.3 Carbost - 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.

8.4 Highland Council Supplementary Planning Policy Guidance

Flood Risk and Drainage Impact Assessment (Jan 2013)

9. OTHER MATERIAL POLICY CONSIDERATIONS

9.1 Scottish Government Planning Policy and Guidance

A Successful, Sustainable Place - Supporting Business and Employment

10. PLANNING APPRAISAL

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

Determining Issues

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

- 10.3 The key considerations in this case are:
 - a) compliance with the development plan and other planning policy
 - b) flood risk
 - c) access and road safety
 - d) waste water and surface water drainage
 - e) scale, massing and design
 - f) any other material considerations.

Development plan/other planning policy

The placemaking priorities for Carbost, as set out in the adopted WestPlan, promotes the village as the principle local centre for both community and commercial facilities on the Minginish peninsula and also seeks to protect the importance of the Distillery as a major employer and tourism asset. The proposed café development, and the engineering works proposed for the entrance to the car park for the Distillery Visitor Centre are considered to sit comfortably with these underlying policy aims. Subject to the proposals having no significant detrimental impact of public safety due to flood risk, road traffic and pedestrian issues, the natural environment with respect to visual and landscape impact and impact on the water environment, the proposal would comply with the development plan.

Alterations to visitor car park entrance

- 10.5 With respect to the proposed alterations to the entrance/exit to the existing visitor car park, these alterations are being brought forward voluntarily by the applicant. The supporting statement indicates that these works are a direct response to feedback received from the local community and the current challenges that are associated with vehicles turning left into the car park and when vehicles are exiting and wish to turn right. Pre-application discussions were undertaken by the applicant with the local community services road team prior to the application being lodged.
- 10.6 At the time of determining planning application ref 18/05564/FUL which was for the construction of the now completed visitor centre car park extension the Transport Planning Team indicated that they were content with the configuration of the existing junction.
- 10.7 No objections have been received to the current proposals from the Transport Planning Team. The consultation response received on 6 August 2020 confirms acceptance of the updated plans submitted 3 August 2020 and the statement from the applicant that the footway contiguous with the existing road is to be retained/upgraded in its current position. The footway and any services below, will be set-back only when the Council undertake the proposed road widening works.
- 10.8 It is considered that the alterations to the visitor car park entrance are acceptable as improving vehicle movements at the intersection between the public road and the private car. The new layout will have no significant impact on the streetscape. Although some of the existing landscaping within the car park will be removed to

accommodate the new layout there will be sufficient room to accommodate a landscaped area between the new access and egress points. The proposals for the car park entrance are considered to accord with the development plan and all other material considerations.

Café Proposals

The development of the café facility is on land that is owned by the applicant. It has been used for many years on a grace and favour basis by the community and the general public for informal recreational purposes as well as a car park. It has no formal status as open space. It is the applicant's prerogative, therefore, to bring forward a development of this part of their landholding area. The built development will occupy no more than half of the application site, which itself does not extend to the full area of land owned by the distillery on the seaward side of the road. As such there is no evidence to suggest that the public will be unable to continue to enjoy the land that will remain, although this will be at the discretion of the landowner. Access to the pier will not be restricted.

Flood Risk

- 10.10 The Flood Risk Assessment (FRA) submitted with the application highlight that part of site to be developed for the café is potentially at risk of flooding and may lie within the functional flood plain. The flood risk is associated with catchment areas of the Carbost Burn and the Allt na Cléithe watercourses which are located on either side of the main distillery complex and are influenced by tidal movements in Loch Harport. The initial objection from SEPA on the grounds of flood risk have been addressed by the applicant by the submission of additional information and amended plans. These have addressed SEPA's concerns regarding the following matters
 - all buildings are located outwith the functional floodplain.
 - It is demonstrated that there will be no landraising within the functional floodplain.
 - The impact of a 50% blockage of the box culvert and pipe culvert on the Allt na Cléithe on flooding can be demonstrated.
 - An allowance for climate change and a freeboard of 0.6m is added to the finished floor levels.
- 10.11 The revised plans and amended FRA have addressed the above matters. In particular, they indicate that the building is not in the functional flood plain and that modelling was carried on the effect of a 50% blockage of the two existing box culverts on the Allt na Cléithe. This confirmed that the proposed café and associated terraces will be located outwith the 0.5%(200 year) flood extents of both fluvial and coastal sources taking into account the impact of the blockage scenario and that the revised plans show that all new buildings will have a minimum finished floor level (FFL) of 5.16m AOD.

The findings of the FRA have also been accepted by the Flood Risk Management Team who have offered no objections to the proposals. The potential risk of flooding to the public road, as suggested in the third party representations has not been borne out by the evidence provided by the applicant through the FRA which indicates that in the event of a 1 in 200 year event the road would remain passable for emergency vehicles. SEPA confirmed in their initial response that it had no concerns in relation to the proposed car parking and landscaping areas being

created within the functional floodplain on the basis that the proposals do not involve landraising. The submitted plans indicate that no landraising is proposed. This matter along with the FFL will be secured by condition.

Road and Pedestrian Safety

- 10.12 The vehicular access to the café will be from the existing junction with the B8009 public road. The present junction layout does not comply with current guideline standards with respect to its geometry or the separation of vehicles and pedestrian traffic. The proposals therefore offer an opportunity to redesign the junction and improve safety. The proposals for the junction will not impede vehicles or pedestrian movements associated with the distillery, which is on the opposite side of the road and the improved junction will continue to allow access for vehicles using Carbost Pier.
- 10.13 In 2017, planning permission 16/05498/FUL was granted for an extension to the existing car park which encompasses the area of land that is now proposed to be developed for the café. To address the increase in anticipated pedestrian movement from the car park to the public entrance of the distillery a set of proposals were approved as part of this earlier planning permission which secured the construction of a pedestrian crossing point of the B8009 between the development site and the 'greenway' that runs the length of the roadside distillery building. The greenway is a metre-wide strip of public road that has been delineated with green textured road markings for pedestrians to use. The development approved under the previous permission 16/05498/FUL has not been implemented, having been superseded by the completed development of the large 215 space extension to the visitor car park which is adjacent to the visitor entrance to the distillery (Planning Permission 18/05564/FUL). Planning permission 16/05498/FUL has expired.
- 10.14 The proposals alterations to the geometry of the junction and the provision of a pedestrian crossing point, as previously approved, form part of the current proposals and as previously agreed the applicant will renew the texture surface of the greenway. The Transport Planning Team are content that these measures will address the need to enhance pedestrian safety between the café and the main distillery complex, as well as vehicle movements at the junction. The geometry and construction of the crossing point and alterations to the junction will be the subject of a separate application under the Road Scotland Act.
- 10.15 It is considered that pedestrian movement will be less than those that would have been associated with the car park proposals of 16/05498/FUL had that development proceeded. The limitations on being able to widen the public road between the site of the proposed café and the distillery visitor entrance due to its historical and rural character is acknowledged, as are the concerns expressed by third parties regarding the risk to pedestrian safety. It is considered that the proposals to improve the geometry of the junction with the B8009 and the construction of the pedestrian crossing point will result in an overall improvement to pedestrian safety. The provision of the crossing point and the construction of the new junction shall be controlled by a condition to ensure that they are completed prior to occupation of the café.
- 10.16 The increase in visitor numbers to Skye and Carbost in the recent past and the associated road safety issues are recognised by the Roads Department. Within Carbost it is the intention of the Roads Department to bring forward a road traffic

order to introduction of a 20mph speed limit in the future. Concerns with respect to the wider road network are outwith the scope of this application. However, the additional vehicles movements associated with the café will add to the traffic associated with the distillery and in recognition of this the applicant has agreed to make an upfront financial contribution towards the cost of making and introducing the 20mph traffic order. It should be noted that the operational development of the café are not dependant on the provision of the 20mph being in place.

- 10.17 A third party comment has been made in relation to the potential impact on road safety due to smoke from the flue which will serve the stove in the private guest area. The stove and flue are domestic in scale and raise no issues with respect to road safety.
- 10.18 The package of improvement measures at the entrance to the main visitor car park, combined with the formation of the new junction associated with the café as well as the construction of the pedestrian crossing point, refurbishment of the greenway and the introduction of the 20mph speed limit, are all considered to improve traffic and pedestrian safety in the vicinity of the distillery complex.

Parking

- The supporting statement submitted by the applicant set out that management of the café and private guest space will be operated in such a manner that access will principally be on foot, as customers will have parked in the visitor car park adjacent to the distillery. One accessible car parking space along with three controlled parking spaces for private clients are shown adjacent to the buildings on the proposed layout plan together with a service bay to allow deliveries to the café building. These arrangements are considered acceptable in this instance. The Transport Planning Team have raised no concerns with respect to these proposals. The day to day operational management of the controlled parking spaces will be the responsibility of the distillery.
- Third party comment has been made that the existing overflow car park ,which is used by locals and visitors who do not visit the distillery, will be lost as a result of the development. The car park is owned by the applicant and therefore its current use by the public is on a grace and favour bases in a similar manner to the adjacent grassed area. The proposed development of the café will not result in a loss of public car parking.

Wastewater Drainage and Surface water Drainage

10.21 The café building will be served by a private drainage system. Connection to the public sewer is not feasible as the public sewer is located beyond the distillery and east of the houses on Pairc Uileim. The private system will consist of a treatment plant which will have an outfall to the sea at a point to the north west of the café building. The proposed site layout plan indicates that there is sufficient land available to provide the system. The quality and quantity of discharge is controlled through the CAR licence process which is regulated by SEPA and through the building standards regulations. The surface water drainage system will also be regulated through the CAR, as the same discharge point to Loch Harport is to be utilised. A SUDs system based on a grassed drainage swale, will be used to remove impurities and attenuate the surface water. The proposed layout of the foul and surface drainage system are considered to be acceptable

Design, visual and landscape impact

10.22 The proposed building is split into two main spaces; the public café and terrace and the private quest facility with viewing terrace. Both elements will have pitched roofs and fully glazed eastern gables. As there is no built development on the site at the present time the erection of the building will bring change to the area. The overall design is one of an overtly contemporary building, which when viewed from the eastern approach along the B8009 will be seen against a backdrop of the rising tree-covered hillside. Approached from the west, the building will be more prominent as a single building on the seaward side of the road and will also be viewed in the same frame as the gable end of the large white roadside distillery building. Overall, given the scale and massing of the building and the quality of design, the development is not considered to have a significant impact on the wider landscape and visual character of the area. The proposals include a comprehensive landscaping scheme around the building which will further enhance the setting of the building. As set out in the supporting statement, this scheme will be an improvement on the site's current condition, comprising an area of existing car parking and hardstanding. The implementation of the landscaping shall be secured by condition.

Other material considerations

Contaminated land

10.24 Records held by the contaminated land team, confirm the comments of third parties regarding the historic use of the site as a refuse tip. As requested in their consultation and in response to the previous use of the site, the need for potential contaminates to be investigated and if necessary, proposals for remedial action to be developed will be secured by condition.

Littering

10.25 Third party comment has been made about the impact that littering will have on the visual appearance of the area. Although the majority of patrons will be seated within the establishment, there may be a small element of takeaway from the café and so details of the litter bins will be dealt with by way of a condition.

Publicity

Third party comment has been made with respect to what was perceived to be a lack of publicity of the application. The application has been subject to the statutory advertisement and neighbour notification procedures for planning applications and it is understood that the applicant also publicised/consulted the community prior to submitting the application. As the statutory requirements have been met there is no reason for the planning application not to be determined.

Non-material considerations

10.27 A number of comments have been made with respect to the impact that the provision of a café will have on the existing businesses in the village. Increased competition between operators is not a relevant planning issue and cannot be taken into account in reaching a decision on the application.

10.28 Comments have been made with respect to the lack of a food trap being included within the plans and the potential impact that this will have on the water environment. Such detailed information is not required to allow determination of the planning application as these technical matters will be addressed through the assessment of the building warrant. The discharge from the foul drainage system into Loch Harport is regulated and control by SEPA through the CAR license process.

Matters to be secured by Section 75 Agreement

10.29 None

11. CONCLUSION

- In summary, the placemaking priorities of the WestPlan aim to secure Carbost as the principal centre of commerce in the area and to support the distillery as a major tourism asset. The increase in visitor numbers in recent years has seen a dramatic increase in the volume of traffic traveling to and through Carbost which has put pressure on the public road network in general and the B8009 within the village around the distillery in particular. The proposed development provides an opportunity to improve the junction which serves Carbost Pier and the alterations to the main visitor car park junction, as promoted by the applicant, are also considered to improve road and pedestrian safety. The body of the report considers and assesses all other relevant material planning considerations. The outcome of this process is a development that is considered to meet the requirements of the development plan policies, as set out in section 8 above, by delivering a development which will contribute towards the tourist economy of the village without significantly impacting on the built or natural environment.
- 11.2 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.

12. IMPLICATIONS

- 12.1 Resource: Not applicable.
- 12.2 Legal: Not applicable.
- 12.3 Community (Equality, Poverty and Rural): Not applicable.
- 12.4 Climate Change/Carbon Clever: Not significant.
- 12.5 Risk: Not applicable.
- 12.6 Gaelic: Not applicable.

13. RECOMMENDATION

Action required before decision Y issued

Developer financial contribution towards 20mph speed order

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

Conditions and Reasons

- No development (including site clearance works) shall commence until a Construction Phase Traffic Management Plan has been submitted to and agreed in writing by the Planning Authority. Thereafter the traffic management shall be undertaken in accordance with the approved details. Details within the plan shall address the following matters
 - i. number and frequency of heavy goods vehicles movements; including those required for any earthworks.
 - ii. measures to control the movement of heavy goods vehicles to avoid all nearby school opening and finishing times.
 - iii. Measures to control mud on the public road.
 - iv. Details of the developer's procedure for dealing with complaints from residents or the public regarding the provisions of the traffic management plan and its application.
 - v. Measures and signage to ensure that access to Carbost Pier is maintained.

Reason: To ensure good traffic management in the interests of public safety and with sensitivity to the established amenity of the area.

- 2. No development (including site clearance works) shall commence on the construction of the visitor centre café and private client space building until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. The scheme shall include:
 - a) the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (Le. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011 +A2:2017 Investigation of Potentially Contaminated Sites Code of Practice;
 - b) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the uses proposed;
 - c) measures to deal with contamination during construction works;

- d) in the event that remedial action be required, a validation report that will validate and verify the completion of the agreed decontamination measures;
- e) in the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

No development shall commence until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

3. Prior to any other development commencing (including site clearance works) on the construction of the visitor centre café and private client space building all vegetation which lies within the visibility splays as detailed on drawings AZ70810:00:003 and AZ70810:00:004 REV A shall be removed. Thereafter the visibility splays as detailed on drawings AZ70810:00:003 and AZ70810:00:004 REV A shall be maintained in perpetuity free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.

Reason: In the interests of road safety.

4. Prior to the commencement of development on the construction of the café building visitor centre café and private client space a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In order to enable the planning authority to consider this matter(s) in detail prior to the commencement of development; in the interests of amenity.

5. Prior to first occupancy of the visitor centre café and private client space building the junction alterations and pedestrian crossing point as detailed on drawing AZ70810:00:004 REV A and AZ7081000:005 REV A shall be completed, to the satisfaction of the Planning Authority, with the road side footway on the north side of the B8009 being a minimum width of 1.8metres.

Reason: In the interest of road and pedestrian safety.

6. Prior to first occupancy of the visitor centre café and private client space building the road markings known as the 'greenway' on the B8009 shall be renewed to the satisfaction of the Planning Authority.

Reason: In the interest of road and pedestrian safety.

7. Prior to first occupancy of the visitor centre café and private client space building details of the provision of litter bins within the curtilage of the building shall be provided for the consideration and written approval of the Planning Authority, Thereafter the bins shall be installed in accordance with the details agreed and retained in perpetuity.

Reason: In the interest of protecting the amenity of the site and the area in general from litter.

8. 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, unless otherwise stated in the approved scheme. 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 the approved landscaping works are properly undertaken on site and that there is no loss of the functional floodplain.

9. The finished floor level of the visitor centre café and private client building shall be as shown on the plans approved as part of this permission.

Reason: In the interest of public safety.

10. Prior to any installation, details of all external signage and lighting of the visitor centre café and private client space building shall be submitted for the consideration and written approval of the Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interest of visual amenity and road safety

11. All surface water drainage provision within the application site shall be implemented in accordance with the approved plans and shall be completed prior to the first occupation of the development.

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

REASON FOR DECISION

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.

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.

- 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.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

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

Mud and Debris on Road

Please note that it 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 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

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 TAL.AR(PL)100

Plan 2 - PROPOSED SITE PLAN TAL.AR(PL)113 REV P1

Plan 3 - PROPOSED SECTION PLAN TAL.AR(PL)120 REV P1

Plan 4 - PROPOSED SECTION PLAN TAL.AR(PL)131 REV P1

Plan 5 - ELEVATIONS TAL.AR(PL)130 REV P1

Plan 6 - PROPOSED FLOOR PLAN TAL.AR(PL)121 REV P1

Plan 7 - SITE LAYOUT PLAN - CAR PARK AZ70810:00:011 REV A

Plan 8 - SITE LAYOUT PLAN - CAR PARK AZ70810:00:012

Plan 9 - GENERAL PLAN - CAFE JUNCTION AND PEDESTRIAN

CROSSING . AZ70810:00:005 REV A

Plan 10 - GENERAL PLAN - PROPOSED CAFE JUNCTION AND

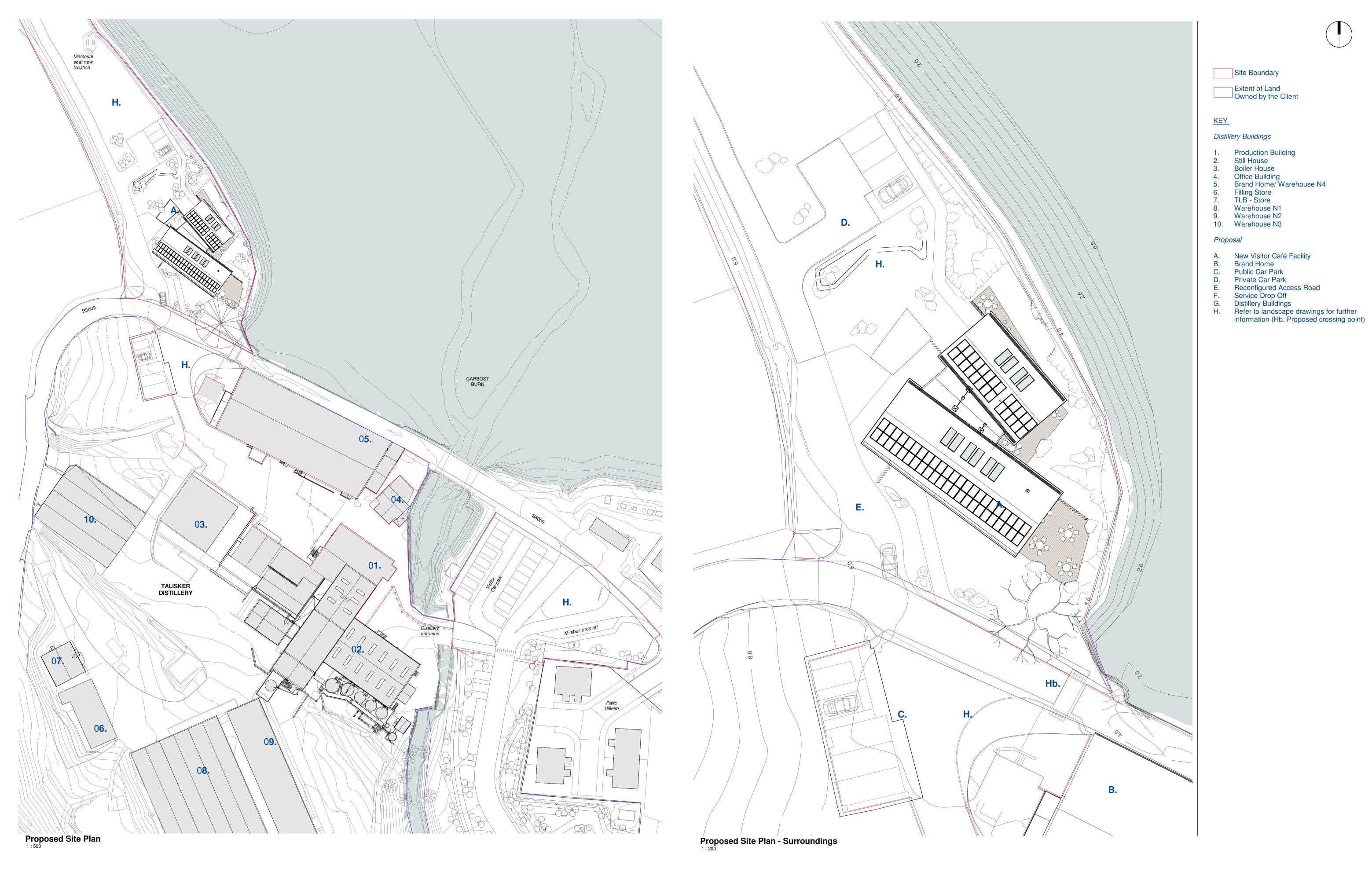
PEDESTRAIN CROSSING AZ70810:00:004 REV A

Plan 11 - PROPOSED DRAINAGE LAYOUT PLAN AZ70810:00:001

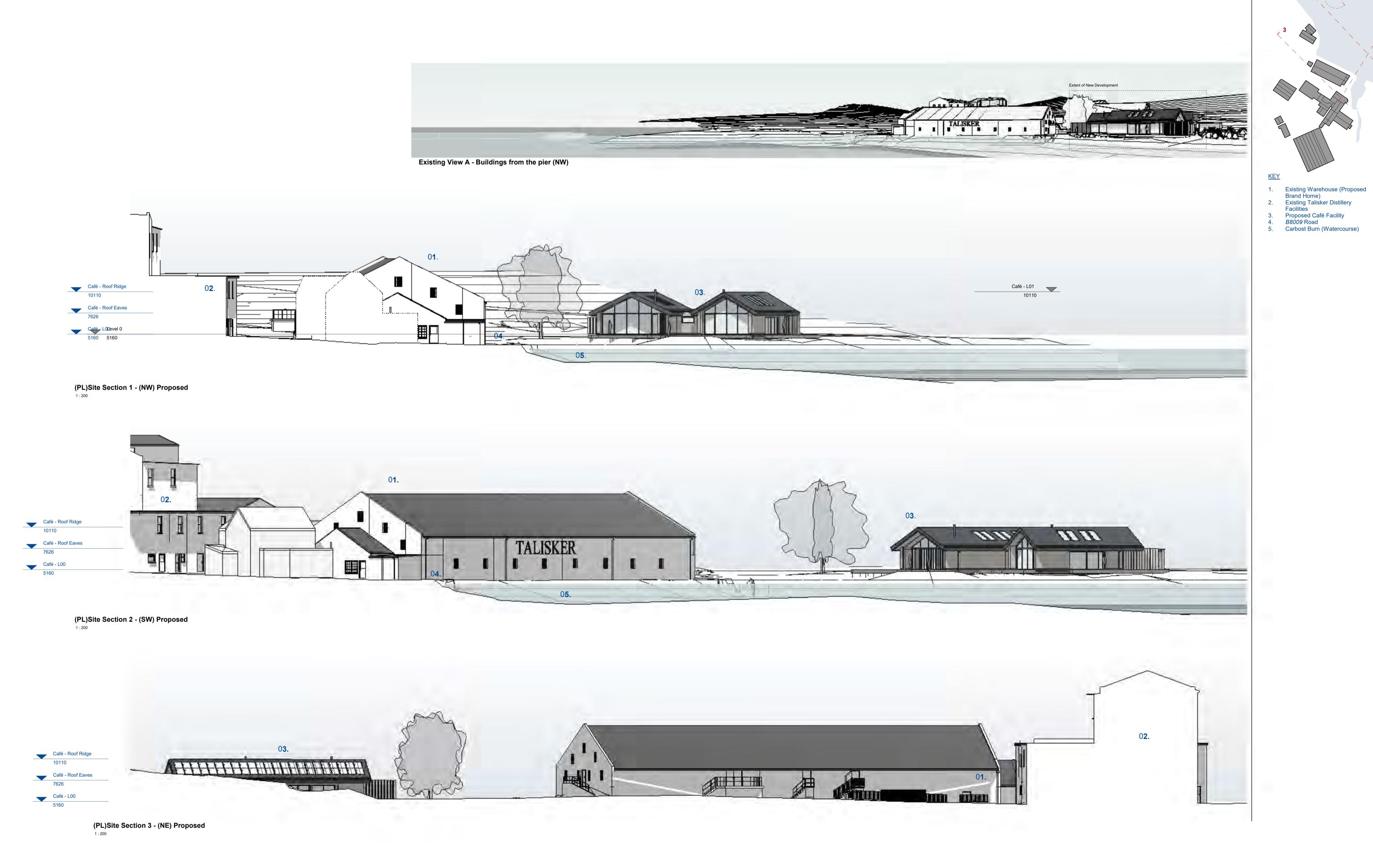
REV A

Plan 12 - LANDSCAPING PLAN - CAR PARK 102 REV P02

Plan 13 - LANDSCAPING PLAN 101 REV P04



TAL.AR(PL)111



TAL.AR(PL)113

Issued By

MMcG



Site Boundary

Extent of Land
Owned by the Client

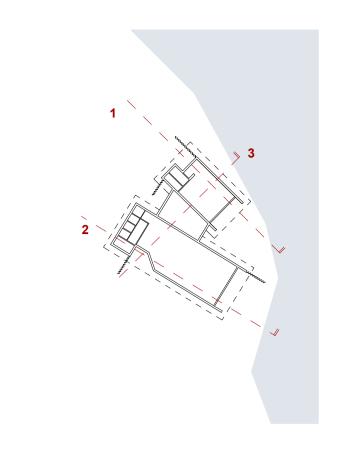
- A. Visitor Entrance
 B. Private Guest Covered Entrance
 C. Service Entrance
 D. Outdoor Covered Terrace
 E. Visitor Terrace
 F. Private Terrace
 G. Service Drop Off
 H. Reconfigured Access Road
 I. Refer to landscape proposals for further information.
 J. Hidden Plant Area.

Room + Areas

TAL.AR(PL)120

Café Facility - Proposed Plans - Ground Floor

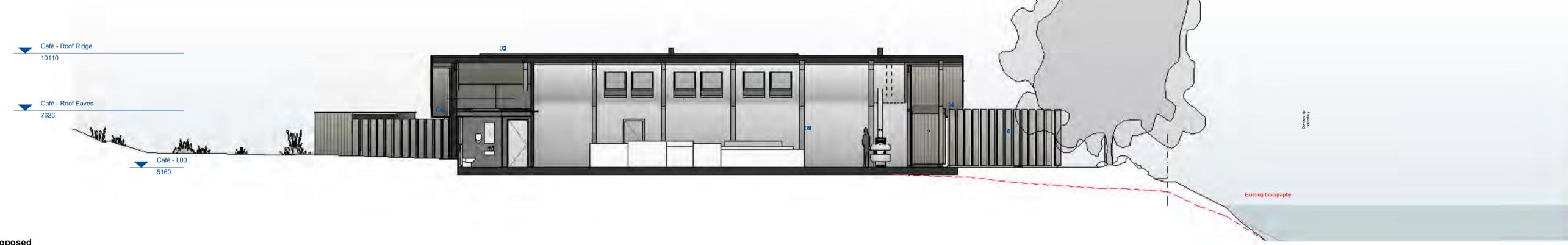
Talisker - New Brand Home Diageo PLC Carbost, Isle of Skye IV47 8SR



- Siberian Larch Treated Timber Wall Cladding.
 Standing Seam Black Metal Roof (2b. Solar Panels indicative area).
 Parapet Flat Roof Single Ply Membrane Anthracite.
 Siberian Larch Treated Timber Soffit.
 Double Glazed Black Metal Curtain Wall System.
 Double Glazed Black Metal Window/Door.
 Siberian Larch Treated Timber Cladded Door.
 Double Glazed Black Metal Framed Rooflight.
 Exposed Treated Timber Structural Frame.
 Siberian Larch Treated Timber Screen.

- Screen.
- 11. Decking.
 12. Siberian Larch Treated Timber Screen (Hidden Uncovered Plant Area).





Section 2 - Proposed



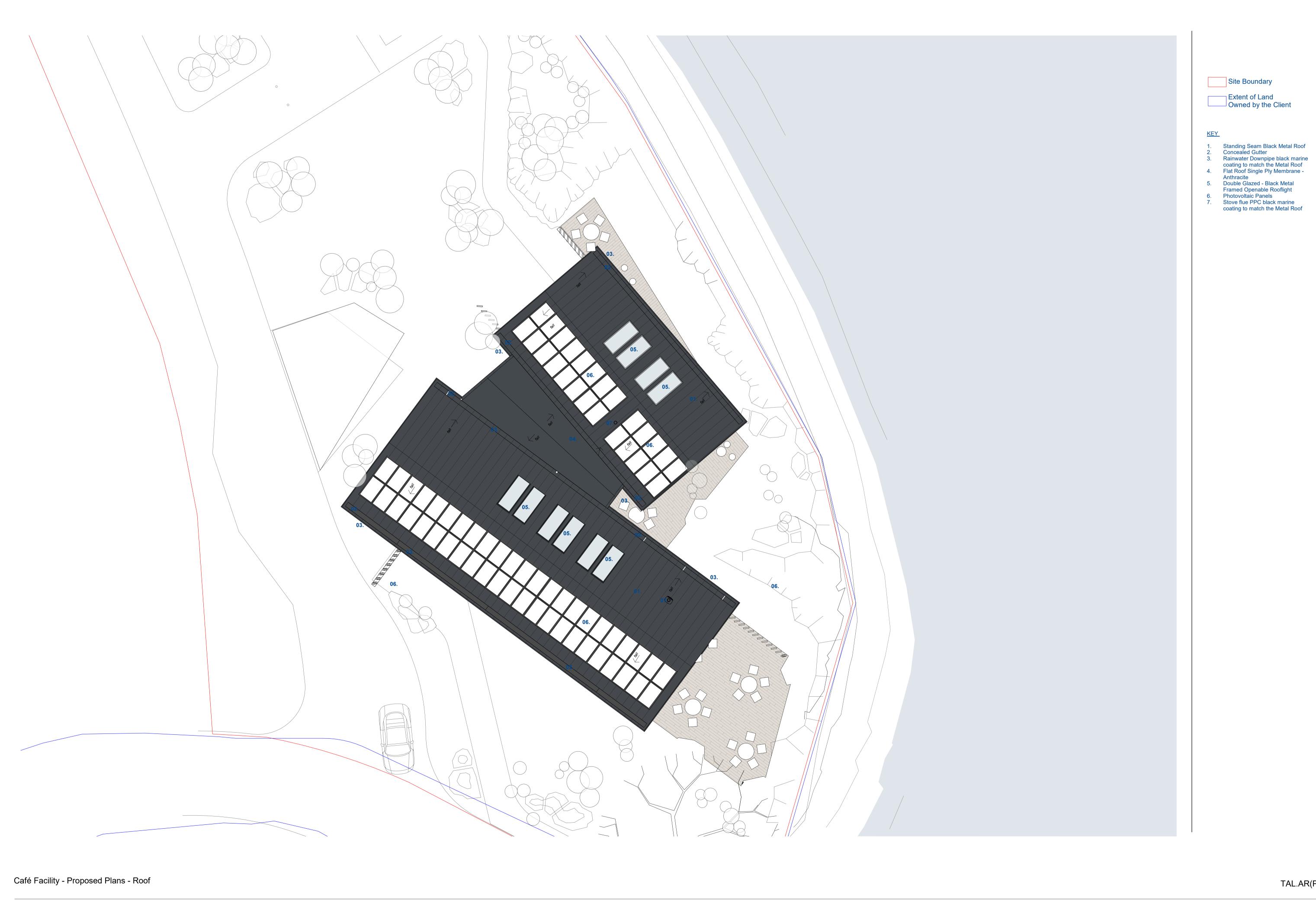
Section 3 - Proposed

Café Facility - Proposed Sections TAL.AR(PL)131





TAL.AR(PL)130

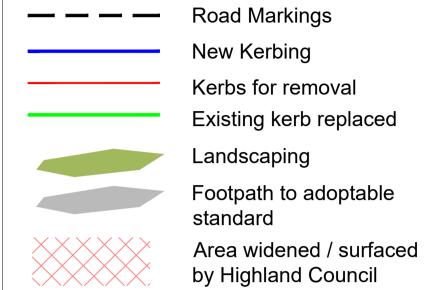


TAL.AR(PL)121



NOTE:

Widening works in area to be transferred to the Council to be undertaken by The Highland Council.



R	Revisions	Date	
Α	Drawing title revised.	07.20	k

PLANNING DRAWING

DIAGEO

TALISKER DISTILLERY

FUTURE DEVELOPMENT BY HIGHLAND COUNCIL

Drawn:	STH	Ck'd:	DSM	Scale:	1:250 @A3
Date:	26.11.19	Date:	26.11.19	DO	NOT SCALE

BLYTH&BLYTH

Cornerstone, 60 South Gyle Crescent Edinburgh EH12 9EB

Telephone. 0131 474 270

Email: edinburgh@blythandblyth.co.uk www.blythandblyth.co.uk

AZ70810:00:011

