

**THE HIGHLAND COUNCIL**

**PLANNING APPLICATIONS COMMITTEE  
19 November 2013**

Agenda Item	6.3
Report No	PLN/102/13

**13/02698/FUL : The Glenmorangie Company  
Glenmorangie Distillery, Glenmorangie, Tain, IV19 1PZ**

**Report by Area Planning Manager**

**SUMMARY**

**Description :** Construction of new access road including associated drainage works

**Recommendation - GRANT**

**Ward :** 8 – Tain and Easter Ross

**Development category :** Local Development

**Pre-determination hearing :** Not Required

**Reason referred to Committee :** Community Council objection.

**1. PROPOSED DEVELOPMENT**

- 1.1 The application seeks detailed consent for a new access road leading to the Glenmorangie distillery warehousing. The access is for operational traffic only, and shall not be used by the public. The access point is taken from the private road which runs parallel to the A9 and which currently serves the distillery and Morangie Cottages/Farmhouse. The access road then leads down to the existing warehousing and the new warehousing currently under construction.

The application is partially retrospective as some works associated with the construction of the road have begun on site. The formation of the access shall require some excavation and alteration of ground levels due to the changes in gradient leading down to the warehousing. The excavated material is to form earthworks further to the south and is subject to application reference 13/02700/FUL, which shall be determined following the outcome of this application or the new access. The concrete access track is approx. 200 metres in length, 7.3 metres wide, then tapering to 4 metres. There are embankments either side of the access road, which tie into the earthworks associated with the construction of the new warehousing. Rainwater runoff is to be collected via 1 metre wide filter trenches.

- 1.2 Determination of the application was delayed to allow Glenmorangie to meet with the Community Council to discuss the application and other development at the site and possibly resolve some of the issues raised. However, following the meeting, the Community Council maintain their objection.
- 1.3 As outlined above substantial works to form the access started on site without planning permission. Works have now ceased with regard to this element at the request of the Planning Authority.

Some of area surrounding the site is currently being remodelled in line with the applications for earthworks noted in section 3.1 below, which have received panning consent under delegated powers.

## **2. SITE DESCRIPTION**

- 2.1 The site lies to the west of the existing warehousing at Glenmorangie. From the A9 the site is relatively level and then slopes steeply down towards the warehousing. There is a mature hedge running along the A9 boundary. Morangie Farmhouse lies to the north and is screened by a band of mature trees.

## **3. PLANNING HISTORY**

- 3.1 12/00424/FUL - Construction of 4no whisky maturation warehouses with associated access road and SUDS pond - This major application was subject to a pre-application consultation process (11/03800/PAN).

13/02258/FUL - Earthworks for new whisky maturation warehouses (site 1) – Permitted.

13/02255/FUL - Earthworks for new whisky maturation warehouses (site 2) – Permitted.

13/02256/FUL - Earthworks for new whisky maturation warehouses (site 3) – Permitted.

13/02257/FUL - Earthworks for new whisky maturation warehouses (site 4) – Permitted.

13/02260/FUL - Earthworks for new whisky maturation warehouses (site 5) – Permitted.

The works currently ongoing close to the site relate to the above.

## **4. PUBLIC PARTICIPATION**

- 4.1 Advertised : Schedule 3

Representation deadline : 13.09.2013

Timeous representations : 0

Late representations : 0

- 4.2 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). Access to computers can be made available via Planning and Development Service offices.

## 5. CONSULTATIONS

- 5.1 **TECS Roads** : No objections – The road from the A9 junction is not on the list of HC adopted roads. The competent Road Authority for this application is Transport Scotland.
- 5.2 **Tain Community Council** : Object on the following grounds;
- Road safety – the access into the distillery from the trunk road is unsafe and any additional traffic movements shall exacerbate the situation.
  - The Community Council are concerned by the scale and re-modelling of the landform as a consequence of accommodating the new access road.
  - There is a need for a segregated public footpath between the town and the visitor centre.
  - A development masterplan for the site should be prepared in order to help the local community better understand the implications of expansion at the distillery.
- 5.3 **Transport Scotland** : No objection – Require conditions regarding dust suppression and wheel washing.

## 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

### 6.2 **Ross Cromarty East Local Plan (as continued in force) (2007)**

## 7. OTHER MATERIAL CONSIDERATIONS

### 7.1 **Draft Development Plan**

Inner Moray Firth Development Plan

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

Sustainable Design Supplementary Guidance

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

## 8. PLANNING APPRAISAL

- 8.1 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.
- 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.

### 8.3 **Development Plan Policy Assessment**

Policy 28 (Sustainable Design) of the HWLDP aims to ensure that development is sustainable and lists the criterion against which proposals shall be assessed. The parts of the policy of particular relevance to this proposal state that proposals should be assessed on the extent to which they “impact on individual and community residential amenity” and “demonstrate sensitive siting and high quality design in keeping with local character’.

The new access road shall have a visual impact within its immediate context, however, the impact is not unacceptable. Public views of the site are from a distance and generally transient when travelling along the A9. Extensive ground works are ongoing closeby the site in association with the construction of the warehouses. From the wider area, the alterations to the ground levels and access shall not appear as an unduly prominent feature within the landscape. A high standard of re-seeding of the embankments shall ensure successful assimilation into the landscape. Furthermore, as the access is located adjacent to the existing cluster of development at Glenmorangie comprising of the distillery, associated cottages and access, the open aspect on the eastern side of the A9 between Tain and Glenmorangie is largely maintained.

The works are situated sufficiently away from surrounding residential properties to prevent any impact upon their amenity. A hedge currently runs along the western boundary of the site, which screens the works from properties on the opposite side of the A9. Given the separation distance between these properties and the works, the visual impact shall not be significant.

The proposal does not result in any unacceptable impact upon community amenity or the visual amenity of the area. The proposal is therefore considered to accord with Development plan policy.

### 8.4 **Material Considerations**

Road safety – Transport Scotland have not objected to the proposal. The purpose of the access is to separate visitor and operational traffic. The new access itself does not actually result in an increase in the level of operational traffic entering/exiting the site from the A9 junction. Four additional warehouses were granted consent in 2012 and are currently under construction. The impact upon the A9 junction was assessed during the consideration of this application and the additional warehousing does not generate an additional level of traffic or use of the A9 junction. The new warehousing increased the on site capacity for whisky storage and shall reduce the number of trips from the site to other storage facilities.

There may be a reasonable case for the provision of a right hand turn lane at the A9 junction in terms of improving road safety. However, the proposal does not actually increase pressure upon the junction and to request improvements to the junction in relation to this application would not be proportionate or reasonable.

Other points raised in Community Council objection – The provision of a public footpath link between Tain and the visitor centre cannot reasonably be facilitated through this application for a new operational access. Glenmorangie are aware of the Community's desire for a footpath link and are encouraged to give this consideration as part of any future expansion plans.

The Community Council raised the issue of the provision of a masterplan for the site. The Planning Authority will seek to engage with Glenmorangie at an early stage as possible regarding any future expansion plans and subject to exactly what is proposed, it may be appropriate to produce a masterplan for the site and/or undertake the statutory public consultation at that time.

## 9. CONCLUSION

- 9.1 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. RECOMMENDATION

**Action required before decision issued** N

**Subject to the above**, it is recommended the application be **Granted** subject to the following conditions and reasons / notes to applicant :

1. Within two weeks of the date of this decision notice, details of measures to protect adjacent properties and the trunk road from dust shall be submitted to the Planning Authority for approval in writing. These details should include the number of vehicle movements per day and details of the wheel washing facilities provided on site. The development shall thereafter proceed in accordance with the agreed details.

**Reason** : In the interests of road safety and neighbour amenity.

2. Within two weeks of the date of this decision notice, cross sections or another suitable plan showing the level of the embankments in relation to the road and surrounding ground levels shall be submitted to the Planning Authority for approval in writing. Development and works shall thereafter progress in accordance with the agreed details.

**Reason** : In the interests of visual amenity.

3. Within two weeks of the date of his decision notice, a method statement for the seeding/planting of the embankments shall be submitted to the Planning Authority for approval in writing. Development and works shall thereafter proceed in accordance with the details agreed.

**Reason** : In the interests of visual amenity and to ensure that high standard of finish to the embankments is achieved.

## **REASON FOR DECISION**

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

## **TIME LIMITS**

### **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.

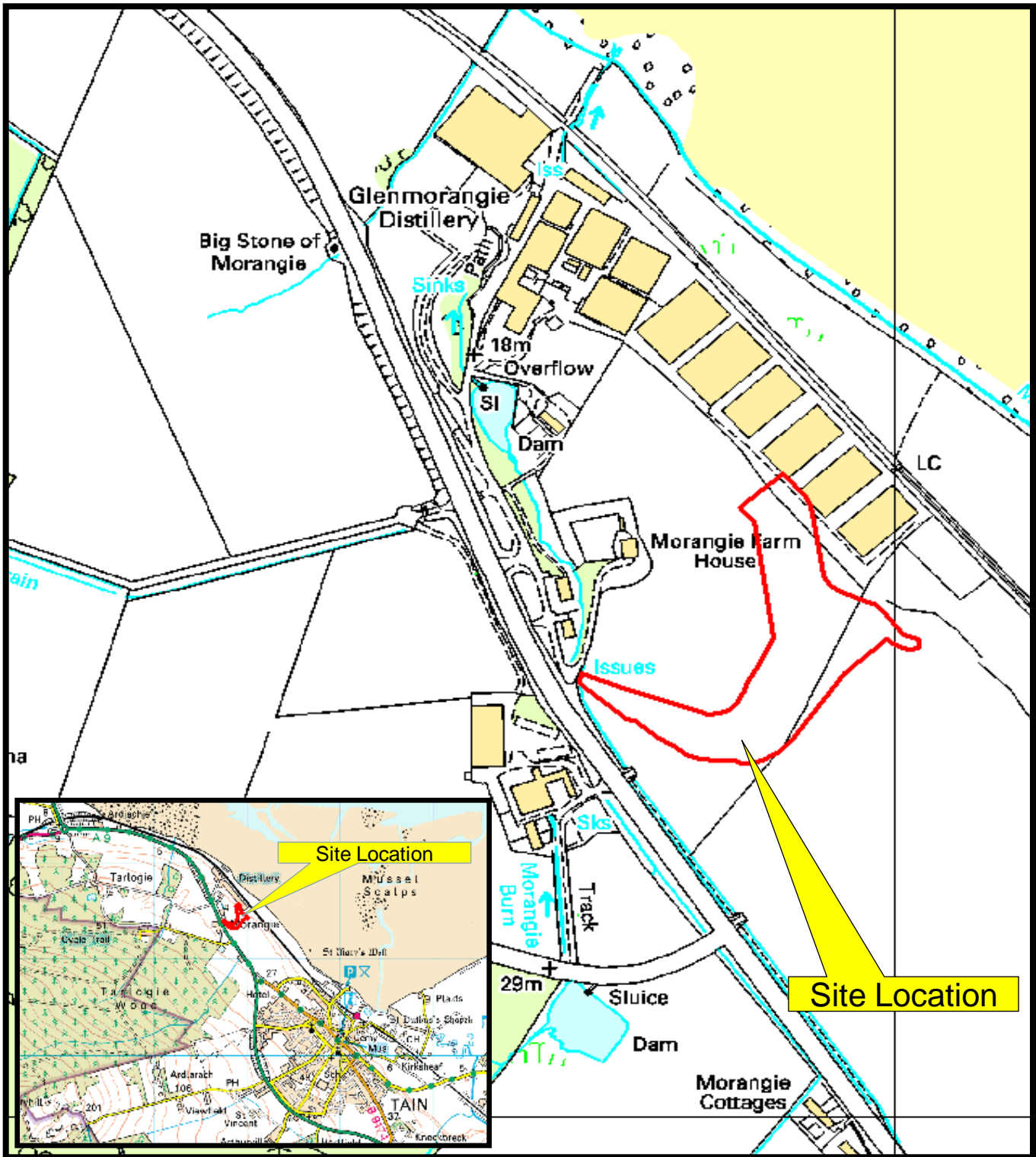
1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the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

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

### **Accordance with Approved Plans & 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.

Signature: Dafydd Jones  
Designation: Area Planning Manager North  
Author: Rebecca Hindson  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location map  
Plan 2 – Site plan  
Plan 3 – Access layout



**The Highland Council**  
**Comhairle na Gàidhealtachd**

**Planning & Development Service**

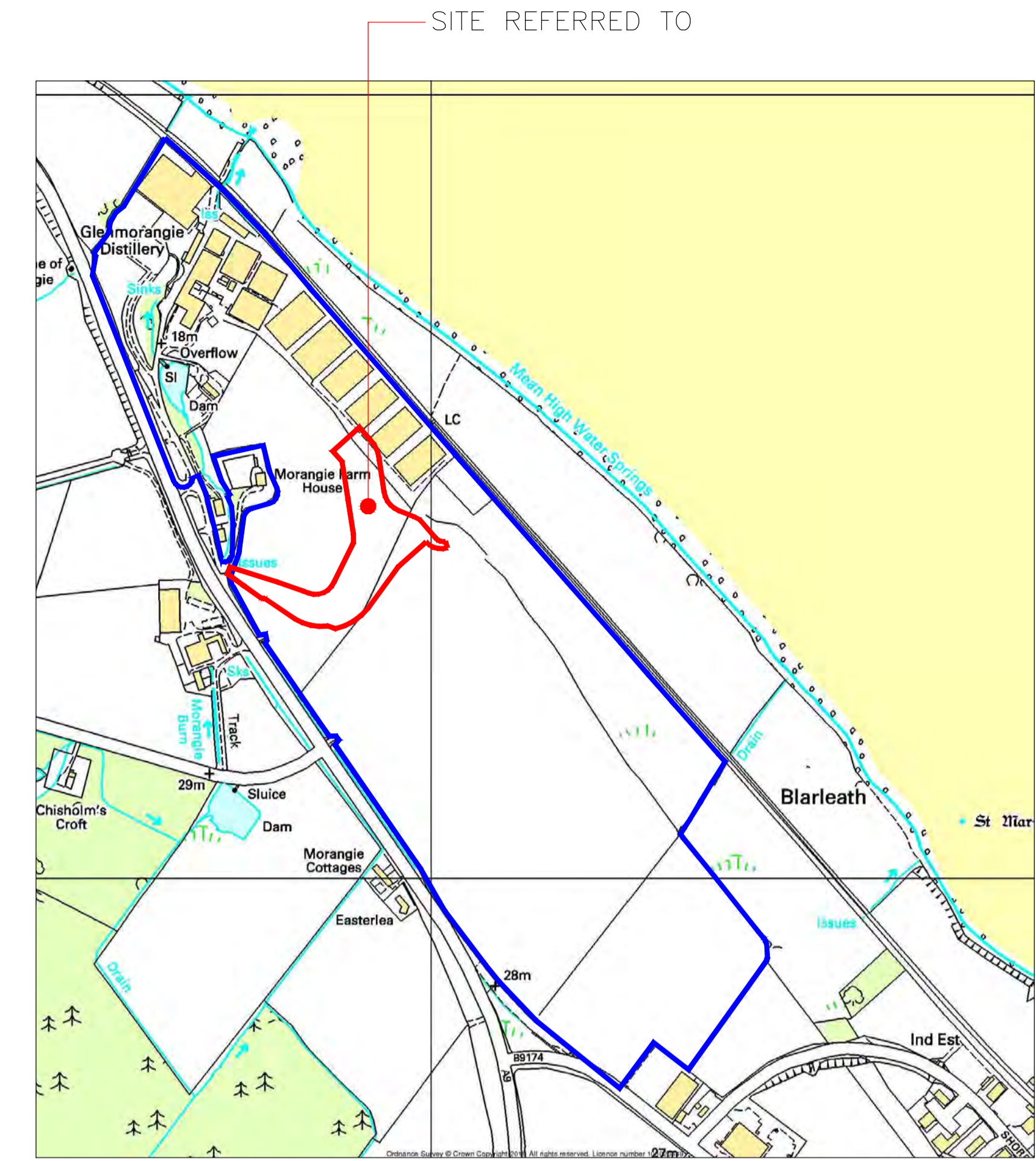
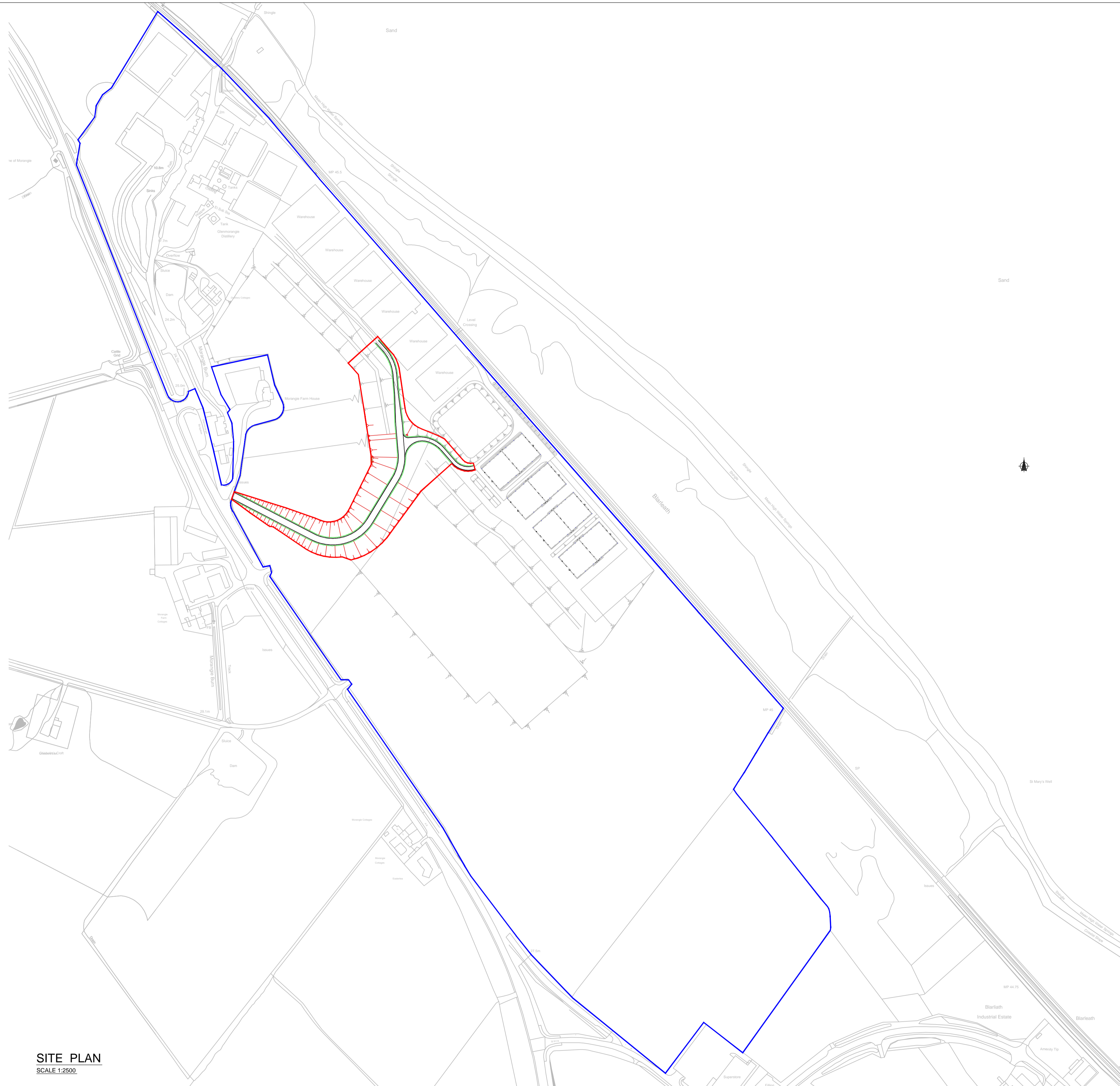
**13/02698/FUL**

**Construction of new access road including associated drainage works at Glenmorangie Distillery, Tain**

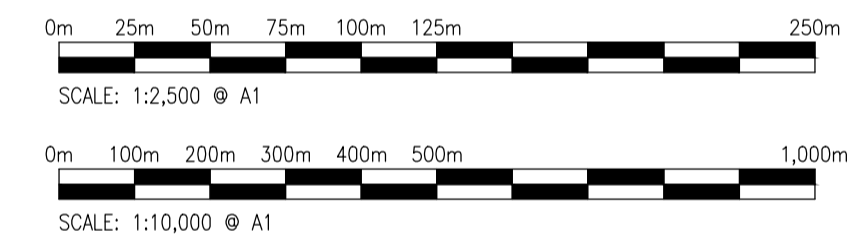
**Date: 04 November 2013**







**SITE LOCATION PLAN**  
SCALE 1:10000



KEY/LEGEND	
	LAND OWNERSHIP BOUNDARY
	NEW WORKS BOUNDARY

**SITE PLAN**  
SCALE 1:2500

Notes

Revisions	Date	Dm.	Revisions	Date	Dm.

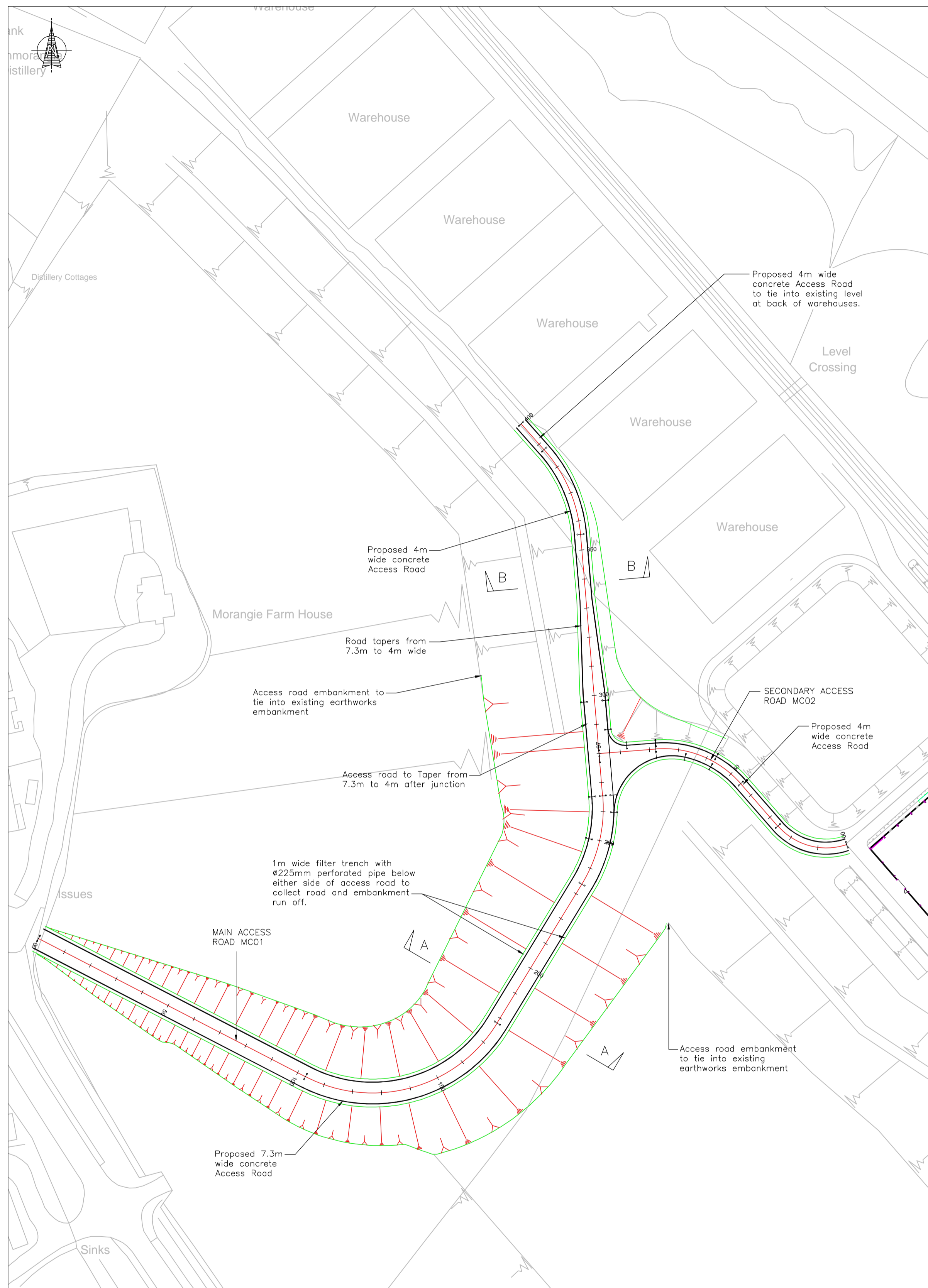
**The GLENMORANGIE COMPANY**

**PLANNING DRAWING**

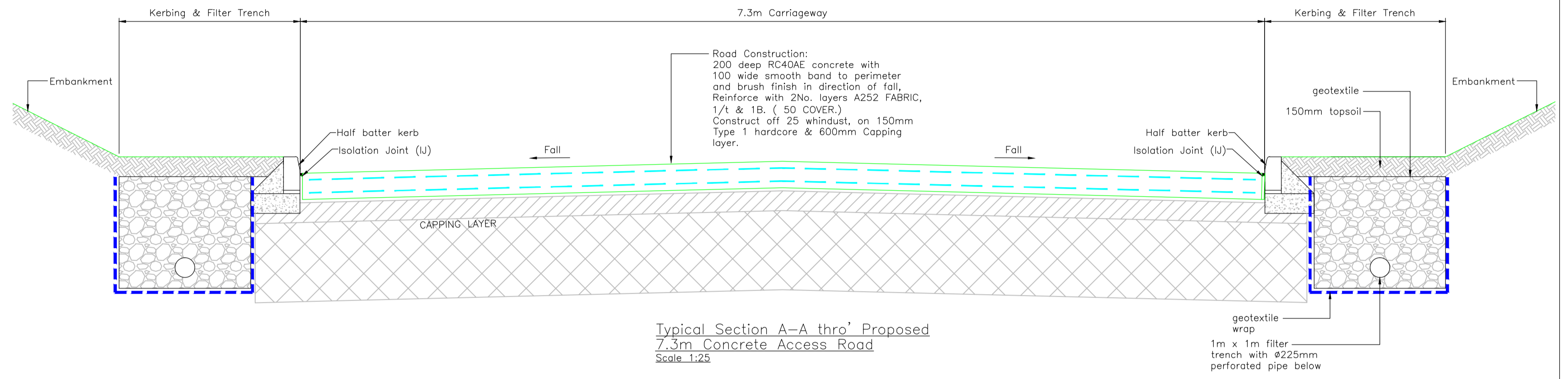
**blyth+blyth**  
Westpoint, 4 Redheughs Rigg  
South Gyle, Edinburgh EH12 9DQ  
Email: edinburgh@blythandblyth.co.uk Telephone: 0131 474 2700  
www.blythandblyth.co.uk Fax: 0131 339 7077

**GLENMORANGIE TAIN**

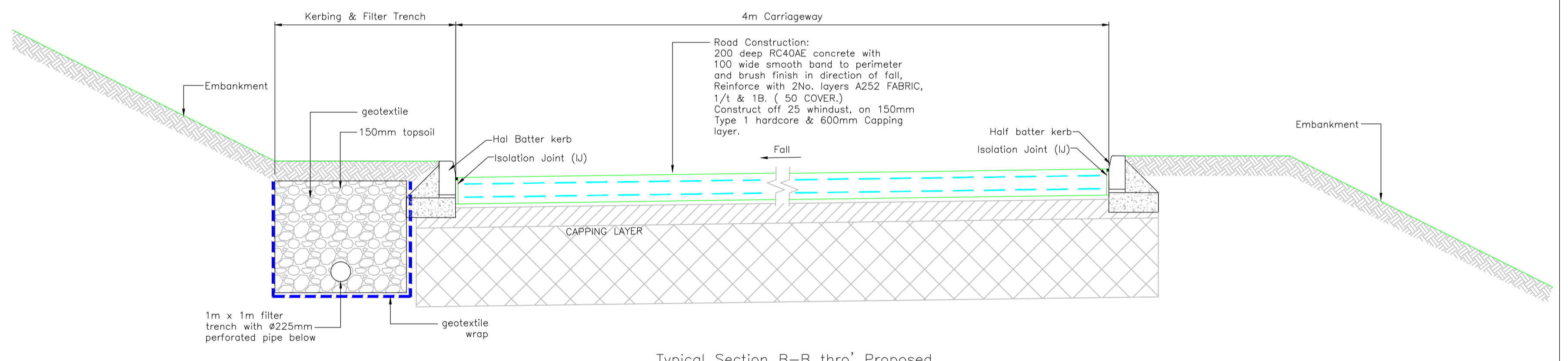
PROPOSED ACCESS ROAD SITE LOCATION PLAN		
Drawn: KP	Ck'd: AA	Scale: As Shown @ A1
Date: 16.07.13	Date: 16.07.13	
Drawing No. EC20494:28:135	Revision	-



Proposed Access Road  
Scale 1:1000



Typical Section A-A thro' Proposed  
7.3m Concrete Access Road  
Scale 1:25



Typical Section B-B thro' Proposed  
4m Concrete Access Road  
Scale 1:25

Revisions	Date	Dm.	Revisions	Date	Dm.

**The GLENMORANGIE COMPANY**

**PLANNING DRAWING**

**blyth+blyth**

Westpoint, 4 Redheughs Rigg  
South Gyle, Edinburgh EH12 9DQ

Email: edinburgh@blythandblyth.co.uk Telephone: 0131 474 2700  
www.blythandblyth.co.uk Fax: 0131 339 7077

**GLENMORANGIE TAIN**

PROPOSED ACCESS ROAD GA & TYPICAL SECTIONS		
Drawn: KP	Ck'd:	Scale 1:1000 @ A1
Date: 16.07.13	Date:	DO NOT SCALE
Drawing No. EC20494:28:136	Revision	-