

PROPOSAL OF APPLICATION NOTICE (PAN) REPORT

Reference: 24/01438/PAN

Applicant: Clan Campbell (Whisky) Ltd

Proposal: Proposal of Application Notice for: Whisky distillery, dunnage warehouse, visitor experience and associated infrastructure

Site Address: Inveraray Castle Estate, Inveraray

1.0 INTRODUCTION

Proposal of Application Notices only relate to National and Major Applications, as defined by the Government's planning hierarchy, and are a statutory requirement prior to the submission of a further associated planning application, in line with the provisions of the Planning etc (Scotland) Act 2006. The PAN submission marks the start of a minimum 12 week period to allow for community consultation before an application can be lodged. This PAN submission was made valid on 2.8.2024.

In considering this item, Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness, impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

The submitted information includes:

- Proposal of Application Notice
- Location Plan
- Copy of newspaper adverts

The Proposal of Application Notice describes the proposed development as "A 2 MLA (2 million litres per annum) whisky distillery, dunnage warehouse, visitor experience and associated infrastructure".

The applicant has confirmed the following consultation steps have been undertaken:

- a) The following Community Council was notified, prior to the PAN being submitted:
Inveraray Community Council.

In addition, the following consultation steps are proposed to be undertaken:

- b) Two public meetings held at the Inveraray Inn, Front Street, Inveraray, on the 28th of August & 25th September 2024.
- c) Two press notices to be placed in both the West Coast Today and the Oban Times, at least 7 days in advance of the proposed public meetings to be held, as set out above.

Officers consider that the steps set out in the PAN are acceptable and in accordance with the minimum requirements of the relevant PAC Regulations to ensure appropriate community consultation is undertaken.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

Based on the description of the development contained within the proposal of application notice, the forthcoming application is anticipated to comprise of a range of new buildings and associated groundworks, formation of a reinstated vehicular access road, staff car parking and associated infrastructure works, all required for the construction of a whisky distillery, dunnage and associated visitor centre on the site. An indicative site layout and details of all of the proposed structures to be constructed have been submitted, although the finalised scale, design and proposed external materials of the proposed buildings have still to be agreed. The project, once operational, is expected to create around 20 local jobs, and seeks to expand and diversify the existing tourism activities at the castle. The applicants are also proposing to repair and part rebuild sections of the listed garden wall within the application site, works that may require the submission of a separate application for listed building consent.

3.0 SITE DESCRIPTION

The proposed site is located partly within and partly adjacent to a listed walled garden, first constructed between 1752 and 1755, all set within the historic designated garden and designed landscape of Inveraray Castle. It is located approximately 900 metres to the north west of the castle, and 1.3km to the north of the town of Inveraray. The irregular shaped site slopes upwards notably from north to south and is currently vacant land, understood to have been previously used for horticultural and forestry/sawmill purposes, in association with the day to day running of the castle estate. It is bounded by a 6 metre high stone garden wall to the north, which also incorporates a small number of estate cottages within it, by a continuation of the high stone wall to the east and by areas of mature ancient woodland to both the south and the west. In terms of the adopted Local Development Plan 2 (2024), the site is located within the designated Countryside Area.

4.0 DEVELOPMENT PLAN POLICY

This is not a planning application and therefore does not require evaluating and determining in accordance with Section 25 of the Planning Act against the Development Plan and its policies. However, in considering the merits of this PAN, a number of Development Plan Policy considerations are relevant. The policies likely to be considered include:

National Planning Framework 4 (Adopted 2023)

NPF4 Policy 1 – Tackling the climate and nature crises
NPF4 Policy 2 – Climate mitigation and adaptation
NPF4 Policy 3 – Biodiversity
NPF4 Policy 4 – Natural places
NPF4 Policy 5 – Soils
NPF4 Policy 6 – Forestry, Woodland and Trees
NPF4 Policy 7 – Historic Assets and Places
NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings (*includes provisions relevant to Greenfield Sites*)
NPF4 Policy 13 – Sustainable Transport
NPF4 Policy 14 – Design, Quality and Place
NPF4 Policy 19 – Heating and Cooling
NPF4 Policy 22 – Flood Risk and Water Management
NPF4 Policy 23 – Health and Safety
NPF4 Policy 25 – Community Wealth Building
NPF4 Policy 26 – Business and Industry
NPF4 Policy 29 – Rural Development
NPF4 Policy 30 – Tourism

Argyl & Bute Local Development Plan 2 (Adopted 2024)

Policy 02 – Outwith Settlement Areas
Policy 04 – Sustainable Development
Policy 05 – Design and Placemaking
Policy 06 – Green and Blue Infrastructure
Policy 08 – Sustainable Siting
Policy 09 – Sustainable Design
Policy 10 – Design – All Development
Policy 13 – Advertisements
Policy 14 – Bad Neighbour Development
Policy 15 – Protection, Conservation and Enhancement of Our Historic Environment
Policy 16 – Listed Buildings
Policy 20 – Gardens and Designed Landscapes
Policy 21 – Sites of Archaeological Importance
Policy 22 – Economic Development
Policy 23 – Tourism Development, Accommodation, Infrastructure and Facilities
Policy 25 – Tourism Development Opportunities
Policy 32 – Active Travel
Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
Policy 36 – New Private Accesses
Policy 37 – Development Utilising an Existing Private Access or Existing Private Road
Policy 39 – Construction Standards for Private Accesses
Policy 40 – Vehicle Parking Provision
Policy 55 – Flooding
Policy 57 – Risk Appraisals
Policy 58 – Private Water Supplies and Water Conservation
Policy 59 – Water Quality and the Environment

Policy 61 – Sustainable Urban Drainage Systems (SUDS)
Policy 62 – Drainage Impact Assessments
Policy 73 – Development Impact on Habitats, Species and Biodiversity
Policy 77 – Forestry, Woodland and Trees
Policy 78 – Woodland Removal
Policy 79 – Protection of Soil and Peat Resources
Policy 82 – Contaminated Land

Land Use Designations in LDP 2:

- Zoned as within the Countryside Area.
- Within the Inveraray Castle Garden and Designed Landscape

Other Relevant Policy Considerations:

- [TN06 Sustainability Technical Note and Checklist \(Oct. 2023\)](#)
- [TN07 Sustainable Buildings Technical Note and Checklist \(Oct. 2023\)](#)
- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- [ABC Technical Note 2 – Advertisement & Signage Policy \(Sept. 2017\)](#)
- [SEPA Standing Guidance for Development Management \(Dec. 2022\)](#)

5.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal, it is considered that the following matters will be material considerations in the determination of any future planning application:

- Detailed design, scale and massing;
- Landscape and visual issues;
- Climate change mitigation and adaptation;
- Conservation, restoration and enhancement of biodiversity;
- Green and blue infrastructure impacts;
- Traffic, vehicular access, parking and transport;
- Flood Risk, Water Quality and Drainage;
- The views of statutory consultees in respect of any formal planning application; in particular Historic Environment Scotland, SEPA and Roads.
- Any other material considerations raised within representations.

6.0 CONCLUSION

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

7.0 RECOMMENDATION

That Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicants in finalising any future planning application submission.

Author of Report: Stuart Ramsay

Date: 29th August 2024

Reviewing Officer: Sandra Davies

Date: 30th August 2024

Fergus Murray
Head of Development and Economic Growth