

Report To: The Planning Board

Date: 1 March 2017

Report By: Head of Regeneration and Planning

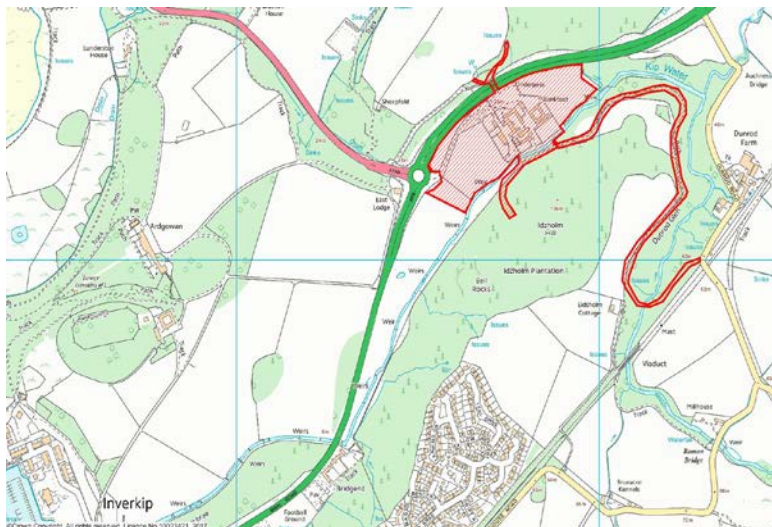
Report No: 16/0292/IC

Local Application
Development

Contact
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Subject: **Erection of whisky distillery with associated production and storage facilities, water abstraction infrastructure, ancillary visitors' centre, commercial/corporate event space including retail, tourism/staff related accommodation, cafe/restaurant, a gin still, a microbrewery and associated car parking, service provision and landscaping at
Land At Bankfoot Farm, Inverkip Road, Greenock**



SUMMARY

- The proposal accords with the Inverclyde Development Plan.
- 98 representations have been received from 97 individuals. 97 of these representations are in support.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=OFM57ZIMJFN00>

SITE DESCRIPTION

The site, which extends to approximately 9.66ha hectares, comprises Bankfoot steading together with adjacent grazing land and the access road from Bankfoot Roundabout. The site is within Ardgowan Estate and lies approximately a mile to the north-east of Inverkip. To the north and north-west, the site is bound by the A78 Trunk Road and to the south by an agricultural field used as grazing land and the largely clear felled Idzholm Plantation and Idzholm Hill. The site accesses the Trunk Road via the Bankfoot Roundabout. A footpath (Core Path No. 12) runs through the site from the underpass below the Trunk Road to the north, to the bridge over the Kip Water to the south.

The steading itself comprises a variety of buildings. These include various traditional stone buildings, up to two storey in height and with pitched slate roofs and arranged to form two courtyards. Adjacent to these buildings lie a storage shed constructed of slatted timber walls and a corrugated iron roof, and a quadrangle barn with sandstone walls, corrugated roof and an open central area. Residential properties owned by the Estate lie adjacent to the steading and within the site. There is also an area of grazing land within the site located to the south-east and north-east of the steading. The application site also comprises three spurs from the main part of the site to water extraction points.

In addition to the tenanted Estate cottages, the site accommodates a mixture of small commercial and office premises. In the past, the site was used for various commercial activities including stables and a sawmill.

PROPOSAL

The applicant seeks planning permission for the erection of a whisky distillery and associated facilities and uses.

Part of the proposed development will be accommodated within the existing stone built steading which will be upgraded. The reuse of these buildings will facilitate:

- An exhibition and visitor centre;
- Retail units which the applicant indicates will be for the sale of distillery branded products, other products associated with the distillery and the Estate, and Scottish and local produce;
- A gin still
- A microbrewery
- A café and restaurant
- A whisky tasting area
- Staff and tourist accommodation
- Associated office accommodation

Further outbuildings to the south-eastern part of the steading will be retained to allow future development or expansion.

The storage shed and quadrangle barn will be demolished to allow a new build distillery building to be constructed. This building will have an external footprint of just over 1300 square metres and accommodate a mash house, tun room, still house and mill room. A further building is proposed adjacent, with a floor area of around 500 square metres. This will comprise a boiler house, compressor room and adjacent tank house. The new distillery building will have a maximum height of approximately 15 metres and the plant building will be approximately 11 metres high. External materials will comprise primarily off-white wetcast render and a grey profiled metal roof. Timber and natural stone cladding will also be used. The compressor room area will be enclosed within a mesh envelope.

A Dunnage Warehouse is proposed to be constructed in the south-eastern part of the steading. This building will have a floor area of approximately 1100 square metres, external materials will comprise a natural stone finish and a slate roof, and it will have a maximum height of around 8 metres.

Access to the site will be retained via the existing connection to Bankfoot Roundabout. The main car parking area will be located between the existing buildings and the trunk road. A coach parking area and bus turning area will be located to the south-west of the steading. An overflow car park will be provided adjacent to the coach park.

The application has been supported by a Planning Statement, a transport statement, a Noise Impact Assessment, an odour assessment, water supply report, a Bat Survey, an ecology report, an economic impact report, a flood statement, ground investigation report, design and access statement and a pre-application consultation report.

STRATEGIC DEVELOPMENT PLAN POLICIES

Glasgow and the Clyde Valley Strategic Development Plan

Strategy Support Measure 8 - Green infrastructure: an economic necessity

The development of a multi-functional Green Network will contribute to the economic competitiveness and quality of life of the city-region.

At the same time, the Green Belt should continue to be designated.

Delivery of the Green Network and the review and designation of the inner and outer boundaries of the Green Belt should be priorities for Local Development Plans so as to ensure that the key environmental objectives, set out above, are achieved.

PROPOSED STRATEGIC DEVELOPMENT PLAN POLICIES

Proposed Glasgow and the Clyde Valley Strategic Development Plan

Policy 14 - Green Belt

In support of the Vision and Spatial Development Strategy, Local Authorities should:

- designate within Local Development Plans, the inner and outer boundaries of the Green Belt to ensure the objectives set out in paragraph 8.15 are achieved;
- collaborate to ensure consistency across Local Development Plan areas when defining or altering Green Belt boundaries.

LOCAL DEVELOPMENT PLAN POLICIES

Policy SDS8 - Green Belt and the Countryside

There will be a presumption against the spread of the built-up area into the designated Green Belt and careful management to prevent sporadic development in the designated Countryside, as identified on the Proposals Map.

Policy ECN4 : Business and Industrial Proposals Outwith Designated Areas

Proposals for new or expanded business or industrial development on sites outwith the identified Business and Industrial Areas on the Proposals Map will require to be assessed against the following criteria:

- (a) compatibility with neighbouring uses;
- (b) economic and social benefit; and
- (c) range and suitability of available sites identified in the Local Development Plan as being suitable for the proposed development.

Policy ECN6 - Tourist Facilities and Accommodation

The provision of new or extended tourist facilities and accommodation, including caravan parks, will be assessed against the following criteria:

- (a) impact on amenity and landscape (adjoining properties, natural and built heritage and environmental resources);
- (b) standard of design;
- (c) impact of traffic generation, access, parking and road safety;
- (d) accessibility by public transport; and
- (e) social and economic benefit.

Policy TRA1 - Managing the Transport Network

The Council will seek to manage development that would affect traffic flow on the strategic road network to allow essential traffic to undertake efficient journeys. To achieve this, the actions included in the Local Transport Strategy will be supported. The public transport network will also be protected where possible, and support will be given to proposals that will result in an improved or extended service. Where proposals could result in the requirement for new or diverted public transport routes, discussion with Strathclyde Partnership for Transport should be undertaken.

Policy TRA2 - Sustainable Access

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

Policy TCR2 - Sequential Approach to Site Selection for Town Centre Uses

Proposals for development of town centre uses as set out in Policy TCR3 will be subject to the sequential approach as set out below:

- (a) Greenock Central Area;
- (b) Port Glasgow and Gourock Town Centres;
- (c) Greenock Outer Area (subject to Policy TCR5);
- (d) sites on the edge of Greenock, Port Glasgow and Gourock Town Centres; and only then,
- (e) out-of-centre sites that are or can be made accessible by a choice of public and private transport modes.

The principles underlying the sequential approach also apply to proposals to expand or change the use of existing developments, where the proposals are of a scale or form sufficient to change a centre's role and function.

Policy TCR3 -Town Centre Uses

The following town centre uses will be directed to the Central Area of Greenock Town Centre, Port Glasgow and Gourock Town Centres and the Local Centres, subject to Policy TCR7:

- (a) Use Class 1 (Shops);
- (b) Use Class 2 (Financial, Professional and other Services);
- (c) Use Class 3 (Food and Drink);
- (d) Use Class 11 (Assembly and Leisure); and
- (e) related uses such as public houses, hot food take-aways, theatres, amusement arcades and offices for taxis for public hire.

Policy TCR7 - Assessing Development Proposals for Town Centre Uses

To assist the protection, enhancement and development of the designated Centres, all proposals for the development of town centre uses identified in Policy TCR3, or for any other commercial uses within a designated centre, will require to satisfy the following criteria:

- (a) the size of the development is appropriate to the centre for which it is proposed;
- (b) it is of a high standard of design;
- (c) it has an acceptable impact on traffic management and must not adversely impact on road safety and adjacent and/or nearby land uses;
- (d) it does not have a detrimental effect on amenity or the effective operation of existing businesses;
- (e) it is consistent with any Town Centre Strategy or other relevant initiative; and
- (f) has regard to Supplementary Guidance on Planning Application Advice.

Proposals for town centre uses outwith the designated Centres, unless they are small scale development to meet local needs that are subject to Policy TCR10, must also demonstrate:

- (g) that no appropriate sequentially preferable site exists;
- (h) that there is capacity for the development in terms of expenditure compared to turnover in the appropriate catchment area;
- (i) that there will be no detrimental impact, including cumulatively, on the viability and vitality of the designated Centres (Policy TCR1); and
- (j) in the case of temporary street markets, the operation will be for a maximum of 13 days in any 12 month period.

Proposals for retail and leisure development over 2,500 square metres outwith the designated town centres and that are not in accordance with the Development Plan should be accompanied by a retail impact analysis, as should any town centre proposal that the Council considers likely to have a potentially detrimental impact on the vitality and viability of the designated Centres. At the Council's discretion, applications for small-scale development of town centre uses outwith the designated Centres may be exempted from the requirement to be justified against criteria (g) - (i).

Policy TCR10 - Shopping Facilities to Meet Local Needs

The retention, improvement and, subject to Policy TCR7, the provision of local neighbourhood shopping facilities up to 250 square metres gross, where they do not compromise residential amenity and/or road safety will be supported. A proposed change of use to non-retail will only be supported where it can be demonstrated that the business has been marketed for a minimum of 12 months and is no longer viable.

Policy TCR11 - Retailing as an Ancillary Use

Ancillary retailing in excess of 100 square metres or 10% of the gross floorspace, whichever is the greater, in Class 6 warehouses and Class 4 and 5 manufacturing units, or retailing involving goods not manufactured on the premises, will be assessed against Policy TCR7.

Policy ENV1 - Designated Environmental Resources

(a) International and National Designations

- i. Development which could have a significant effect on a Natura site will only be permitted where: an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or
- ii. there are no alternative solutions, and
- iii. there are imperative reasons of overriding public interest, including those of a social or economic nature.

Development that affects a SSSI (or other national designation that may be designated in the future) will only be permitted where:

- iv. it will not adversely affect the integrity of the area or the qualities for which it has been designated, or
- v. any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

(b) Strategic and Local Designations

Development adversely affecting the Clyde Muirshiel Regional Park and other strategic and local natural heritage resources will not normally be permitted. Having regard to the designation of the environmental resource, exceptions will only be made where:

- i. visual amenity will not be compromised;
- ii. no other site identified in the Local Development Plan as suitable, is available;
- iii. the social and economic benefits of the proposal are clearly demonstrated;
- iv. the impact of the development on the environment, including biodiversity, will be minimised; and
- v. the loss can be compensated by appropriate habitat creation/enhancement elsewhere.

Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

(a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or

(b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or

(c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or

(d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and

(e) it does not adversely impact on the natural and built heritage, and environmental resources;

- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

Policy ENV7 - Biodiversity

The protection and enhancement of biodiversity will be considered in the determination of planning applications, where appropriate. Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Inverclyde Council, in conjunction with its partners, will continue to develop habitat and species action plans through the approved Local Biodiversity Action Plan (LBAP) in order to manage and enhance the biodiversity of the Inverclyde area.

Policy ENV8 - Water Quality and the Water Related Environment

Proposals for all developments should have regard to their potential impact on the water environment, and specifically to the Clyde Area Management Plan (2009 - 2015) (and future reviews) which supplements the River Basin Management Plan for Scotland. In particular there should be no deterioration to the quality of any water body, and where possible sustainable improvements will be sought. In this regard the Scottish Environment Protection Agency (SEPA) will be consulted by the Council where appropriate. The culverting of watercourses should be avoided wherever possible. Where culverts currently exist, they should be opened up as part of any development, if appropriate and practicable.

Policy HER7 - Development Affecting Archaeological Sites

Development which will have an adverse effect on Scheduled Monuments or their setting will only be permitted in exceptional circumstances and where it is satisfactory having regard to Historic Scotland's 'Managing Change in the Historic Environment' guidance note series. Development on or adjacent to other archaeological sites, as included on the Council's database of sites of archaeological importance, will normally be permitted only where there is no adverse impact on the resource. Where development is permitted affecting these sites of archaeological importance, conditions will be attached to planning permissions to allow for excavation and recording before or during development. Any survey reports or works sought by the Council will require to be funded by the developer.

Policy INF4 - Reducing Flood Risk

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

Policy INF5 - Sustainable Urban Drainage Systems

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

CONSULTATIONS

Head of Environmental and Commercial Services – It is noted that 30 parking spaces will be provided in the primary car park in front of the distillery building. A further 55 spaces will be provided in an overflow car park to the west of the distillery. This level of parking is acceptable and should be in place prior to any part of the distillery opening. Of the 85 parking spaces at least 6 should be allocated to disabled users. It is recommended that these spaces are situated in the primary car park adjacent to the building. A total of 34 cycle parking spaces will be provided. This is acceptable.

It is noted that bus stops cannot be provided on the A78. The applicant should therefore provide a shuttle bus service for a minimum of 12 months between the distillery and Inverkip where customers can connect with other public transport services. SPT may be able to offer assistance with the procurement of such a service.

It is advised that the underpass under the A78 is part of the existing core path network and it is therefore assumed that it is suitable for non-motorised users.

The applicant should provide signs within the development advising visitors of the safe pedestrian routes within the site. It is recommended that signs be provided advising where the overflow car park is located and also areas which are for operational use only.

The access from Bankfoot roundabout serving the development should be a minimum width of 5.5 metres to permit the passing of a car and an HGV.

With regard to the drainage assessments, the applicant has provided suitable evidence to manage any flood risk on the site. The provision of SUDS should aid and manage the potential impact of surface water as highlighted on SEPA flood maps.

Transport Scotland – No objections.

Head of Safer and Inclusive Communities – No objections, however various conditions are recommended. These include requiring the recommendations in the Noise Impact Assessment being followed, control of contamination and Japanese Knotweed, deliveries to the site, isolation of mechanical plant from buildings, sound insulation and the operation of the construction site. Finally, it is noted that given the distance of the proposed water extraction points from existing private water supplies, there is unlikely to be any detrimental impact on these supplies.

Scottish Water – No objections.

Scottish Environment Protection Agency West – No objections; advice relating to various aspects of the proposal is highlighted.

Clyde Muirshiel Park Manager – No objections.

Greenspace Manager - The surveys undertaken and reports submitted are acceptable as it the methodology used. There are no likely negative implications for priority Local Biodiversity Action Plan species.

Scottish Natural Heritage – No objections. It was advised that a Bat Habitat and Species Protection Plan required to be provided prior to determination of the application and that it should be in line with SNH guidance. This was submitted to SNH and it is advised that the Plan which recommends a system of working, proposed mitigation and compensation measures is acceptable. Based on the information available, it is likely that the tests would be met and therefore that a licence would be granted.

A pre-construction survey for birds and otters is recommended. Suggestions relating to species and habitat enhancement are also made including a wetland habitat within the SUDS pond, enhancement of habitat along the Kip Water, nesting boxes for Spotted Flycatchers and replacement native trees.

Scotland Gas Networks – Following discussions with the applicant, Scotland Gas Networks (SGN) will agree working methods necessary to safeguard the security of the pipeline. This allows SGN to withdraw its objection to the application on the condition that it is involved through all stages of construction from the initial groundworks through to the site completion when within 30m of or involved in an activity that could affect the pipeline. It is further advised that in terms of the Building Proximity Distance SGN believe the HSE would class this as a low level of sensitivity due to the development type and would therefore not advise against this from going ahead. In addition, as the pipe is heavy wall thickness, this allows the objection to be lifted providing the normal plant protection measures are adhered to.

It is noted that excavations, stockpiling of material, vehicles crossing over the top of the pipeline, drilling, piling and the siting of temporary structures or cabins and containers are all activities that can have an effect. This list is not exhaustive and SGN advice should be sought if in any doubt. Should the design of the planning permission be amended, then it may require further consultation.

Scottish Power – No objections to the proposal.

Strathclyde Partnership for Transport – There is a significant number of bus services operating on the A78. Whilst ideally there would be bus laybys (and crossing facilities) on the A78, it would not be possible to provide such infrastructure on the A78 north of the roundabout.

It is noted that the majority of the services within the vicinity of the site are operated commercially. The distance and therefore the associated time penalty associated with a possible deviation in some capacity of these services into the site is unlikely to be attractive to operators unless there is substantial demand. However, if sufficient demand is created by the proposal operators may consider diverting some services into the site. It is recommended that the bus pick up and drop off area is designed in such a way to enable a standard single decker bus to turn safely without reversing. This would future proof the development should the demand be generated to make local bus service penetration of the site attractive.

It is suggested that a travel plan is produced for the site highlighting the travel choices available to staff.

Health and Safety Executive – A consultation has been undertaken via the HSE online portal. HSE does not advise against granting planning permission.

Land Use Consultants – It is noted that landscape proposals for the development are somewhat lacking even at a strategic level. Detailed advice is given on how landscaping matters should be addressed.

PUBLICITY

The application was advertised in the Greenock Telegraph on 18 November 2016 as it is contrary to the development plan.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

98 representations have been received from 97 individuals in connection with the application. 97 of these representations are in support. The main points of support raised can be summarised as follows:

- The proposal represents significant inward investment to the area.
- Employment will be created by the proposal.
- A new tourist attraction will be created.
- Visitors attracted to the distillery may also visit other local attractions including Clyde Muirshiel Regional Park.
- Passengers from visiting cruise ships may stay in the area to visit the distillery.
- There will be knock-on benefits to local businesses.
- The development will enable local products to be showcased.
- The proposal will lead to regeneration within the area.
- There will be a positive impact on Ardgowan Estate.
- The Whisky industry is extremely important to the Scottish economy.

The final representation does not object to the application but considers that care must be taken to ensure that the proposal brings opportunity to local people, that the project is privately funded and that it does not destroy the countryside.

ASSESSMENT

The material considerations in determination of the application are the Glasgow and the Clyde Valley Strategic Development Plan (2012), the Proposed Glasgow and the Clyde Valley Strategic Development Plan (2016), the Inverclyde Local Development Plan, the Scottish Planning Policy (SPP), the visual impact of the proposal, the consultation responses, the public representations received and the applicant's supporting documentation.

The determining factor is whether the proposal accords with the Development Plan and, if not, whether there are other material considerations to suggest that planning permission may be granted contrary to the Plan. The Development Plan is the combination of the Strategic Development Plan and the Local Development Plan.

The Development Plan

Scottish Planning Policy sets out the core values of the planning system and guides the development plan. The Strategic Development Plan (2012) sets out the strategic framework that guides the land use policies of the Glasgow and the Clyde Valley region and focuses on growing the economy of the city region in a low carbon and sustainable manner. In paragraph 4.43, it notes that the environment is a major strategic economic asset and a platform for growth. It is further noted that the environment is critical in creating a destination for the tourist and visitor economy

and supporting the diversification in the rural economy. In Paragraph 4.48, and through Strategy Support Measure 8, the role and importance of the Green Belt in relation to this highlighted. The proposed Strategic Development Plan also takes a similar position. The site is located within the Green Belt and policy SDS8 of the Local Development Plan sets out a presumption against the spread of the built up area into the Green Belt. In addition, policy ENV2 states that development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances. The purpose of the Green Belt is primarily to protect rural areas from urban spread and to maintain the identity of existing settlements by clearly defining their physical boundaries. It therefore rests to consider whether the proposed development is contrary to the aims and purpose of the Green Belt and whether there are any exceptional or mitigating circumstances which justify the approval of this development within a Green Belt location.

In making this assessment the following will be considered:

- Is there a locational requirement for the development on this site?
- What economic benefits will result from the development?
- Can the site be developed for the purpose proposed without detriment to road safety?
- What will be the impact on the local landscape, nearby residential properties and existing businesses within Inverclyde, and will this impact be acceptable?
- Will there be flooding or environmental implications and, if so, can these be addressed?
- Are there other planning policy issues that should be taken into account?

Appropriateness of the Green Belt location

Policies SDS8 and ENV2 of the Local Development Plan rigorously defend the Green Belt with the latter noting that developments will only be considered in exceptional or mitigating circumstances. Firstly, in terms of urban spread, the site is located around a mile from Inverkip and approximately 0.7 of a mile from the grouping of houses at Bridgend. It is also around half a mile from the nearest point of the former IBM site at Spango Valley. With the distances from nearby developments and given this site redevelops an existing steading, I do not consider the development will contribute to the suburbanisation of the Green Belt which SPP seeks to avoid or impact unacceptably on the boundaries of the existing urban area.



For a distillery development, the choice of location is dependent upon the supply of water. This is provided by the Kip Water which runs alongside the development site and the nearby springs. I also note that many malt whisky operations within Scotland are sited within countryside locations and rely on this setting in marketing their brand and characterising the product. This is likely to be true of this proposal in terms of marketing a brand developed on Ardgowan Estate. Indeed, the applicant notes in their supporting statement that part of the visitor experience to the site will

include the 'Ardgowan' story. There are many comparable examples of whisky distillery developments throughout Scotland which form an important sector to the rural economy through both direct labour and tourism revenue. The success of the proposed development will be dependent upon a range of factors, and the tourism potential derived from the site's location is significant among these.

Whilst noting that the specific requirements for a whisky distillery development could, in principle, be considered as an exceptional or mitigating circumstance in terms of policy ENV2, it remains that a full assessment of other Development Plan policies and material planning considerations require to be undertaken.

Economic impact and tourism potential

The main whisky distilling element of the proposal is a Class 5 use and in the Strategic Development Plan (both adopted and proposed), the proposal falls within the strategic scale of developments. Referring to Diagram 4 of the Strategic Development Plan and Diagram 11 of the proposed Strategic Development Plan, the distinctive nature of the proposal means that it does not specifically align with the Spatial Development Strategy. However, given the potential for the proposal to provide significant net economic benefit and new employment which is one of the key aims within SPP, it is appropriate to assess the development in terms of the Local Development Plan. ECN4 of the Local Development Plan sets out the assessment criteria for new business or industrial uses outwith the business and industrial areas identified on the proposals map.

An Economic Impact Report has been submitted in support of the application. It is stated that the proposed development can contribute to meeting the broader needs of the Inverclyde economy, broaden the employment base and add economic value. The development would also contribute to the continuing development of Scotland's whisky sector. Direct employment from the whisky production is anticipated to be 7 jobs in year 5 rising to 12 jobs in year 10. An additional 5 jobs would result from visitors to the site. In terms of the wider economy, it is stated that once operational, the distillery's whisky production and visitor attraction could support:

- 47 jobs and £2.9 million gross value added (GVA) in the Inverclyde Economy in year 5;
- Growing to 73 jobs and £19.7 million GVA by year 10; and
- 116 jobs and £73.1 million GVA by year 20.

These impacts are associated with the operation of the distillery as both a producer of whisky and as a visitor attraction. Given the investment, economic growth and job creation potential, the economic and social benefits of the proposal are clear. Whilst ordinarily, new business and industrial development would be directed to the areas identified on the Proposals Map uses, I consider this is one such occasion where the economic benefits and specific locational requirements of the proposal outweigh this.

Additionally, policy ECN6 sets out the criteria for assessing tourist facilities. In addition to operating as a whisky production facility, the distillery will also serve as a tourist attraction through distillery tours, café, and retail facilities. The creation of a premium tourist attraction will likely attract new visitors to Inverclyde who may otherwise have gone elsewhere. This includes whisky tourists, cruise passengers and day visitors all contributing to the economic benefits identified above.

Design and landscape Impact

Given the position adjacent to the trunk road, the site is prominently located. However, the trunk road rises to the north-east, consequently the main views to the site from the closest point of the road are largely across the existing buildings to the hillside beyond and given the local topography, views of the site are localised.

The development comprises a mix of buildings including the conversion and redevelopment of many of the existing steading buildings together with the new build elements. In first considering the new build main distillery building, it is accepted that this requires to meet the functionality of a modern distillery. Consequently the massing of the building is greater than the existing steading buildings. It is not considered, however, that the size, scale and design of the building is incompatible; it is of a modern appearance, designed with an L-shaped footprint and a pitched roof broken up by ventilation stacks. External materials will comprise a white washed wetcast render, timber cladding and natural stone cladding. The gable to the mash house which faces up the valley will be part glazed allowing for views to the mash tun to passers-by on the Trunk Road. The gable of the still house will feature a similar arrangement. The use of curtain walling which extends into the roof will also assist in punctuating the building. The lower tun room requires extensive ventilation which will be provided by oak louvered openings. The small windows to the upper floor echo the fenestration found on the courtyard buildings. Also the use of profile sheeting to the roof is in principle acceptable, however the exact colour and finish can be addressed by condition to ensure it has an appropriate dark, non-reflective finish.



The boiler house also utilises a pitched roof design similar to that of the main distillery building. The tank room adjacent to this building is a typical feature of modern distillery operations. It will be screened by dark mesh and the position away from the trunk road on the opposite site of the boiler house. This will ensure these required service elements are not to the detriment of the appearance of the site. The new dunnage warehousing to the rear of an existing shed being retained will be formed by a simple design of three gables to reduce the height and scale of the building within the site. Overall, I consider the design approach to the new building to be acceptable.

The existing steading buildings are being retained to house the café and restaurant, retail element, exhibition and toilet facilities. These buildings are in comparatively good condition and repairs will be undertaken to match the existing. It is anticipated that many of the original windows will be able to be overhauled and reused. Any replacements required will be designed to match the originals. In the main stables courtyard, a new build structure is proposed to provide open retail space. This element will comprise a part glazed and part slated pitched roof with the walls formed by curtain walling and stained timber cladding. I consider this approach is appropriate for the existing steading. The existing courtyard surfacing is a mix of concrete and tarmac and it is proposed to replace this with a mix of cobbles, sets and conservation specification paving slabs. The café will have an external space within the courtyard. This approach to the courtyard is considered appropriate.

With regard to car parking, the primary area is located between the retained steading buildings and the trunk road. With the trunk road being at a higher level, views will be across the parking area towards the buildings. A coach park is provided to the south-east of the access road. An overflow car parking area finished in grasscrete is located adjacent to the coach park. The use of this

surface finish will avoid the parking provision having an unacceptable dominance of this part of the site area.



Considering landscaping, full details have not been submitted at this stage. An appropriate landscaping strategy will be required to create an attractive visual impression of the wider development, soften areas such as the car park and ensure the development responds to the local landscape character. This is expected to follow the principles of the advice from the Council's landscape advisors and I am satisfied that matters relating to landscaping can be addressed by condition.

I consider that overall, matters pertaining to design are appropriately addressed.

Impact on the amenity of residential properties

The nearest affected residential properties are the cottages which are adjacent to the steading and within the application site. These are Ardgowan Estate properties and are currently tenanted. The applicant indicates that following the development of the distillery, these properties will likely be used for both staff accommodation and for tourist/holiday lets. The nearest residential properties which are not within the application site are East Lodge, to the opposite side of Bankfoot Roundabout, some 100 metres out with the site, the housing development at Teal Drive, Inverkip which is around 380 metres distant from the main part of the site, Edinholm Cottage at around 420 metres from the main part of the site and Dunrod Farm some 470 metres from the main part of the site.

A noise impact assessment has been submitted in support of the application. A baseline sound survey was conducted for two locations at nos. 1 and 6 Bankfoot. Whilst these residences are within the application site, they were identified as the nearest noise sensitive properties. When assessed using the method recommended in the Scottish Government's Technical Advice Note, the residual impact is predicted to be of Neutral Significance subject to the implementation of the mitigation measures set out in the assessment. The Head of Safer and Inclusive Communities accepts these findings and offers no objections subject to a condition requiring the recommendations made in the Noise Impact Assessment Report to be implemented.

The Head of Safer and inclusive Communities also recommends that no deliveries or collections for the site are carried out between the hours of 2300 and 0700. This can be addressed by condition. Matters relating to construction noise are addressed by the Head of Safer and Inclusive Communities via separate legislation, however, an advisory note can be attached to any permission. As the impact on the adjacent residential properties within the site is considered acceptable subject to suitable mitigation, there is thus no potential for undue disturbance to more distant residential property.

An Odour Impact Assessment has also been submitted. This identifies odour sensitive receptors to be the same residential properties identified above. The assessment indicates that odour is predicated to be insignificant at all sensitive receptors, subject to the implementation of the mitigation measures set out in the assessment. The Head of Safer and Inclusive Communities accepts these findings and offers no objections.

Flooding, drainage and water extraction

Scottish Planning Policy directs planning authorities to take the probability of flooding from all sources into account when determining planning applications. Policy INF4 of the Local Development Plan states that development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. All developments at risk of flooding will require to be accompanied by a flood risk assessment (FRA) and include suitable management measures and mitigation for any loss of flood storage capacity. Policy INF5 also advises that proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS). A flood risk assessment (FRA) was submitted to accompany the application together with an Outline Drainage Scheme.

SEPA offers no objection noting that the flood risk is likely to be low. The Head of Environmental and Commercial Services also advises that flooding and drainage matters pertaining to the site are satisfactorily addressed. SEPA note that the applicant has demonstrated satisfactory SUDS and foul connection to existing Scottish Water network and Scottish Water has raised no objections. I consider that the proposal presents no conflict with policies INF4 and INF5.

Policy ENV8 seeks to ensure that new development does not result in the deterioration of any water body. Clearly, with the nature of the development requiring a significant level of water abstraction, and with the discharge from the SUDS system, there is potential for impact on the water environment. A water supply study has been submitted noting potential water sources which include the Kip Water and nearby springs within the application site. SEPA also offer no objection to this aspect of the proposal and highlights the regulatory requirements separate from the planning process. The Head of Safer and Inclusive Communities also offers no objections advising that given the distance of the proposed water extraction points from existing Private Water Supplies, there is unlikely to be any detrimental impact on said supplies.

Ecology

Policy ENV7 of the Local Development Plan advises on proposals affecting biodiversity. An ecology survey report and bat survey has been submitted. The bat survey identified that a number of buildings on the site have features that could support bat roosts. Two bat roosts have been identified and one has features that could support hibernating bats. The Lower Clyde Greenspace Manager notes that the bat survey undertaken and methodology is appropriate. Scottish Natural Heritage (SNH) advised that a Bat Habitat and Species Protection Plan required to be provided prior to the determination of this application due to the ecological survey identifying roosting and foraging bats, in and around the buildings that form part of the development proposal. This has subsequently been provided and SNH advise that based on this, it is likely that the tests would be met and therefore that a licence would be granted.

The Ecology Survey included a survey for otter, badger, red squirrel, water vole, birds and atlantic salmon, together with plant species. The survey notes the presence of otters but no evidence of holts or shelters. It is recommended that the survey is updated prior to the commencement of works on site. It is noted that Atlantic salmon will use the river on migration and it is important that this movement is not impeded by the introduction of any physical obstacles, a reduction in water level or water quality. The operational arrangements will ensure that there is no impedance to migratory salmon. Badgers were not present within the main part of the development site. Red squirrel and water vole were also absent from the site and immediately adjacent land. Most open buildings have some use by various bird species, especially swallow, and it is recommended that any demolition should be undertaken out with the bird breeding season. In terms of other flora and

fauna, all habitats are man-made or heavily influenced by human intervention and therefore botanically impoverished. No rare or scarce plants are known to be present, however the presence of Japanese knotweed is noted. The Lower Clyde Greenspace Manager notes there are no negative implications for priority Local Biodiversity Action Plan species. I am therefore satisfied there is no conflict with policy ENV7.

Roads and Transportation

Policies TRA1 and TRA2 of the Local Development Plan seek to address matters relating to the management of the transport networks and sustainable access respectively. Policy TRA1 advises on managing development which has the potential to affect traffic flow on the strategic road network. The proposed development will access directly to the Trunk Road via the existing connection to Bankfoot Roundabout. Transport Scotland offers no objections to this arrangement. Considering parking, the Head of Environmental and Commercial Services advises that the level of parking proposed within the site is acceptable. This should ensure there is no overspill parking outwith the site. The requirement for the parking to be in place prior to the new building being brought into use can be addressed by condition as can the detailed layout and position of disabled spaces. The access road is 5.5 metres in width and this accords with the advice from the Head of Environmental and Commercial Services.



Considering public transport, both Strathclyde Partnership for Transport (SPT) and the Head of Environmental and Commercial Services note that it is not possible to provide bus stops on the Trunk Road. SPT note that there is a significant number of bus services operating on the A78 and the majority of these are operated commercially. They consider that if sufficient demand is created by the proposal the operator of these commercial services may consider diverting some services into the site. It is therefore recommended that a bus pick up and drop off area is designed in such a way to enable a standard single decker bus to turn safely without reversing. Such provision is provided within the site and vehicle tracking drawings confirm that a bus will be able to turn without reversing.

The Head of Environmental and Commercial Services further advises that a shuttle bus service should be provided between the distillery and Inverkip where customers can connect with other public transport services. Given the possibility of existing bus services calling at the premises, I do not consider it appropriate to consider the provision of a shuttle bus service by the applicant in isolation. SPT suggest that a travel plan is prepared for the development and I consider this to be the appropriate mechanism for identifying, assessing and promoting travel options available to both visitors to the development and the staff employed there. This can be addressed by a condition, as can the requirement to keep the travel plan under review as the site develops.

The existing underpass under the A78 is already in use as part of the core path, and this position is noted by the Head of Environmental and Commercial Services. He also considers that the level of cycle parking spaces is acceptable. Internal site directional signage recommended by the Head of Environmental and Commercial Services in the interests of roads safety can be addressed by condition.

Subject to appropriate conditions, I consider there to be no conflict with the aims of objectives of policies TRA1 and TRA2 of the Local Development Plan.

Other Planning Policy Implications

In addition to the main whisky distilling element, a variety of other uses are proposed as part of the overall development. These include retail space extending to an internal area of around 460 square metres and a café and restaurant extending to a gross internal area of around 490 square metres. Both these uses are town centre uses identified in policy TCR3 of the Local Development Plan. Ordinarily, and in accordance with SPP, a town centre first approach should be applied when considering these uses. Policy TCR2 of the Local Development Plan sets out how this approach should be applied in Inverclyde. Given the retail, café and restaurant uses are integral to the whisky distillery in terms of its function as a visitor attraction, these elements cannot be separated from the proposal and provided in a town centre location. A sequential approach to site selection is therefore not considered applicable.

Policy TCR11 advises on retailing as an ancillary use. In terms of this policy, the retailing element requires an assessment against policy TCR7. There are no implications in terms of criteria (a) to (f) of policy TCR7. The distinctive nature of this proposal, with a focus on visitor related services and sales, means that it is not considered that the proposal will have any adverse impact on the viability and vitality of existing town centres. Furthermore, this policy allows for discretion to apply to proposals for small scale development of town centre uses outwith the designated centres in respect of such proposals being exempted. This includes the requirement to demonstrate capacity for the development in terms of expenditure. Whilst this would ordinarily apply to local shopping facilities identified by Policy TCR10, the unique nature of this development leads me to conclude that this approach is appropriate in this instance.

Policy ENV1 advises on designated environmental resources and advises that development which adversely affects the Clyde Muirshiel Regional Park (CMRP) will not normally be permitted. Bankfoot steading itself lies out with the CMRP. However, the spurs radiating from the central area of the application site to the potential water sources results in the site being partly located within the Park. I note the Park Manager has raised no objection to the proposal and I do not consider that the redevelopment of an existing steading will have any detrimental impact. Moreover, the potential increase in tourism within the local area could result in a knock on increase in visitors to the Park and its attractions, for example the nearby Greenock Cut Visitor Centre.

Finally, policy HER7 advises on development affecting archaeological sites. Archaeology records indicate that the site is potentially of archaeological interest and I consider it would be appropriate to attach a condition requiring an archaeological watching brief.

Other Issues

An underground high pressure gas pipeline runs through the site to the north and east of the existing steading. Following a consultation utilising HSE's online portal, HSE do not advise against the granting of planning permission. Scotland Gas Networks (SGN) objected to the proposal due to the potential impact of the development on the gas pipeline. Following discussions between SGN and the applicant, an agreement has been reached which will result in SGN agreeing working methods which will be necessary in order to safeguard the security of the pipeline. This can be addressed by condition.

SP Energy Networks note that there are overhead Line Apparatus and High Voltage underground cables within the vicinity of the proposed development. There is no objection to the proposal in this respect.

Core Path No. 12 runs through the site from the underpass below the Trunk Road to the north to the bridge over the Kip Water to the south. This will be retained following the development and I do not consider there to be any potential adverse impact to the users of the core path. An additional access from Dunrod Road to the core path network is also indicated in the submission.

Conclusion

In concluding, I have taken into account the applicant's full submissions in support of the application and I have considered all consultation responses and points made in letters of representation.

The proposed development represents a significant investment and will bring economic benefit through the main whisky distilling operation and it serving as a tourist attraction. Policy ENV2 of the Local Development Plan advises that developments in the Green Belt will only be considered in exceptional or mitigating circumstances. It is considered that the applicant has demonstrated a locational requirement for the siting of the distillery in the Green Belt together with a strong economic argument. Furthermore, it is not considered that the development will contribute to the suburbanisation of the Green Belt. Overall, I consider that the development is one which has both exceptional and mitigating circumstances in terms of the Green Belt location. The design of the new buildings is considered acceptable for the location and the reuse of the stone steading buildings is supported. The development satisfactorily addresses roads and transportation matters, flooding and drainage, ecology and the impact on nearby residential properties. On the basis of the advice from the consultees, I am also satisfied that the high pressure gas transmission pipeline within the site does not inhibit the development.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That prior to their use, samples of all facing materials relating to the development together with samples of all hardstanding shall be submitted to and approved in writing by the Planning Authority.
2. That prior to the commencement of work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority. Development shall then proceed as approved unless any alternative is agreed in writing by the Planning Authority.
3. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
4. That details of maintenance and management for the landscaping approved in terms of condition 2 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
5. That all soft landscaping shall be completed within 4 weeks of the commencement of any distillery operations or opening of visitor facilities.

6. The drainage regime and future maintenance shall be fully implemented to the satisfaction of the Planning Authority in accordance with the Drainage Scheme Details submitted, unless any alternative is agreed in writing by the Planning Authority.
7. The recommendations made in Section 6.1 of the Noise Impact Assessment Report dated 24 October 2016 shall be fully implemented to the satisfaction of the Planning Authority, unless any alternative is first agreed in writing by the Planning Authority.
8. The odour mitigation measures set out in Section 6.0 of the Odour Impact Assessment Report dated 24 October 2016 shall be fully followed to the satisfaction of the Planning Authority, unless any alternative is first agreed in writing by the Planning Authority.
9. All stages of construction from the initial groundworks through to the site completion shall first be agreed in writing with Scotland Gas Networks, in consultation with the Planning Authority, where they are within 30 metres of or involve an activity that could affect the high pressure gas pipeline. For the avoidance of doubt, the Planning Authority in consultation with Scotland Gas Networks shall determine if an activity could affect the pipeline.
10. The car and coach parking areas shall be completed and available for use to the satisfaction of the Planning Authority prior to the commencement of any distillery operations or opening of visitor facilities. The parking areas shall then be retained and available for use at all times thereafter, to the satisfaction of the Planning Authority.
11. Full details of a signage scheme to manage the flow of traffic within the site shall be submitted to and approved in writing by the Planning Authority. The signage scheme shall then be implemented as approved and maintained on site to the satisfaction of the Planning Authority at all times thereafter.
12. That prior to the commencement of any distillery operations or opening of visitor facilities, a green travel plan shall be submitted to and approved in writing by the Planning Authority. Thereafter operation of the site shall be undertaken in accordance with the approved green travel plan at all times in the future. For the avoidance of doubt, the green travel plan shall set out the frequency with which the plan will be reviewed in the future.
13. That prior to the commencement of works on site, a pre-construction survey for all European Protected species together with all nesting birds and priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required.
14. An archaeological watching brief, to be carried out by a suitably qualified organisation, shall be implemented during all ground disturbances. The organisation shall be afforded access at all reasonable times to allow them to observe works in progress and record items of interest and finds. A method statement for the watching brief will be submitted to and approved in writing by the Planning Authority prior to the commencement of works on site.
15. Deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00 daily.
16. That prior to the commencement of any distillery operations or opening of visitor facilities, full details of the location and any enclosures for bin storage shall be submitted to and approved in writing by the Planning Authority.
17. That prior to the start of development, a brief statement confirming the absence or presence of Japanese Knotweed within the site shall be submitted to and approved, in writing by the Planning Authority. In the event Japanese Knotweed is identified this statement should be accompanied with a suitable treatment methodology. Development shall not proceed until

treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.

18. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Strategy with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The Remediation Strategy shall also include a Verification Plan. Any subsequent modifications to the Remediation Strategy and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
19. That on completion of remediation and verification works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the Planning Authority, confirming that the works have been carried out in accordance with the Remediation Strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.
20. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and amendments to the Remediation Strategy (i.e. that has not been included in contingency) shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
21. That prior to the commencement of works on site, full details of the phasing of the development shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved, unless otherwise agreed in writing by the Planning Authority.
22. That prior to the commencement of works on site, a proposed lighting plan for all external lighting and illumination within the site shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved and the plan followed at all times thereafter, unless otherwise agreed in writing by the Planning Authority.

Reasons

1. To enable the Planning Authority to retain effective control of facing and finishing materials in the interests of visual amenity.
2. To ensure the provision of an appropriate landscaping scheme.
3. To ensure the retention of the approved landscaping scheme in the interests of visual amenity.
4. To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.
5. To ensure the provision of a visually acceptable environment within an appropriate timescale.
6. To ensure the implementation and adequacy of the drainage regime the application site.

7. To protect the amenities of occupiers of residential property from unreasonable noise and vibration levels.
8. To protect the amenities of occupiers of residential property from unreasonable odour nuisance.
9. To ensure the development has no adverse impact on the High Pressure Gas Pipeline.
10. To ensure suitable parking provision for staff and visitors, in the interests of road safety.
11. To aid the flow of traffic within the site, in the interests of road safety.
12. To ensure the development of a sustainable transport strategy for the site.
13. To ensure the protection of European Protected species and other wildlife.
14. To allow for recording and recovery of antiquity.
15. To protect the amenities of occupiers of residential property from unreasonable noise and vibration levels.
16. To ensure bin locations and enclosures are visually acceptable.
17. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
18. To satisfactorily address potential contamination issues in the interests of environmental safety.
19. To provide verification that remediation has been carried out to the Authority's satisfaction.
20. To ensure that all contamination issues are recorded and dealt with appropriately.
21. To ensure an acceptable form of development on site.
22. To protect the rural character and appearance of the surrounding landscape.

Stuart Jamieson
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact James McColl on 01475 712462.