

**04/01199/LBC  
5th October 2004**

**Listed Building consent for change of use of distillery to travel lodge restaurant shops music studios and entertainment centre at Coleburn Distillery Longmorn Elgin Moray IV30 8SN for D And M Winchester Limited**

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**Comments:**

- MEMBERS WILL HAVE VISITED THE SITE.
- Advertised under the current Listed Buildings and Conservation Area Regulations.
- Category B listed building.
- Application to be considered in conjunction with application 04/01198/FUL.

**Procedure:**

If minded to approve,

- notification to Historic Scotland required prior to issue of any consent.

**Recommendation:      **Permit - Subject To The Following:-****

1. That the proposal to which it relates must be begun not later than the expiration of five years beginning with the date of this consent.
2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.
3. The development shall relate to the amended drawings, numbered 1 - 19 (in so far as they relate to listed building considerations) submitted under cover of the applicants/agents letter dated 31st July 2007, 12th October 2007 and 29th October 2007 regarding the design and external appearance of all proposed alterations to be carried out to the listed buildings including details of the glazed canopies, the retention of the grass area adjacent to the southern entrance to the travel lodge/restaurant, removal of the external fire escape from the travel lodge, and the removal of an extension at the entrance to the Entertainment Centre.
4. In accordance with the applicant's agents letter dated 25th April 2005, 11th October 2007 and 29th October 2007:
  - a) All plant and machinery for heating, ventilation and extraction or similar service provision shall be located in roof voids and terminate within the roof kiln (of the main range of Distillery buildings) or, in the case of the proposed Entertainment Centre, extracted externally through the rear upper windows of the building;
  - b) All alterations and repairs to existing openings and all new openings shall be formed with sandstone masonry to match the existing openings;

- c) All proposed windows shall be traditional sash and case opening and all doors and windows shall be timber, painted white; and
  - d) No external alterations other than those shown on the approved drawings shall be carried out without the prior written consent of the Council, as Planning Authority.
5. No development shall commence until details have been submitted to and approved by the Council, as Planning Authority regarding: -
- a) Full specification for all external finishes and colours to the buildings including walls, pointing render/roughcast, windows doors and rainwater goods, etc;
  - b) Full specification for all external repairs to the buildings including roof, walls and rainwater goods, etc;
  - c) At a scale of 1:10 or 1:20, typical window details to include size proportions and thickness of frames and glazing bars, opening methods, finishes and no trickle vents;
  - d) Full specification for all external lighting either affixed to or in the vicinity of the buildings, including the location, design, external appearance height and intensity of illumination for all lighting units to be provided;
  - e) The location and design specifications for all measures of acoustic treatment to be introduced (internally within the buildings) to increase noise insulation and mitigate against noise intrusion to ensure that: -
    - i) The LA90 of the entertainment noise shall not exceed the representative background noise level LA90 (without entertainment noise) and
    - ii) The L10 of the entertainment noise shall not exceed the representative background noise level L90 (without entertainment noise) in any 1/3rd octave band between 40 Hz and 190 HZ, as measured in the nearest noise-sensitive dwelling.
- and thereafter,
- f) the above details shall be carried out in accordance with the approved details.
6. No development shall commence until details have been submitted to the Council, as Planning Authority regarding a photographic record of all sites and buildings to be altered, including a photographic record of both the exterior and interior of the buildings/structures.

**Reasons:**

- 1. The time limit condition is imposed in order to comply with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

2. In order to ensure that there are no unauthorised departures from the approved plans which could adversely affect the development or character and amenity of the surrounding properties and area.
3. To ensure an acceptable form of development and in the interests of the character, appearance and amenities of the Category B Listed Building.
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6. In the interests of safeguarding a record of Moray's industrial heritage.

**List of Informatives:**

THE DEVELOPMENT CONTROL MANAGER, DEVELOPMENT SERVICES, has commented that:-

**VERY IMPORTANT NOTE:**

Attention is drawn to Section 7(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Planning Authority) until notice of the proposal has been given to the Royal Commission on the Ancient and Historical Monuments of Scotland, John Sinclair House, 16 Bernard Crescent, Edinburgh EH8 9NX and either the Royal Commission have been given reasonable access to the building for a period of 3 months from the date on which the Commission receives a completed Form LBC.1 or they have stated in writing that they have completed their record of the building or that they do not wish to record it. A copy of Form LBC.1 is attached to allow the developer to notify the Royal Commission on the Ancient and Historical Monuments of Scotland of the proposed development.

THE BUILDING STANDARDS MANAGER, has commented that:-

A Building Warrant will be required for the proposals. Should you require further assistance please do not hesitate to contact Building Standards, Environmental Services Department, Council Office, High Street, ELGIN IV30 1BX or by telephoning 01343 563243.