

National Park Authority

Planning & Access Committee Meeting



Minutes of Meeting held on 2nd March 2015, 13:00hrs
John Muir Suite, Carrochan, Carrochan Road, Balloch

Present: Petra Biberbach (PB) – Chair
 Colin Bayes (CB)
 Owen McKee (OM)
 George Freeman (GF)
 David McKenzie (DMcK)
 David Warnock (DW)
 Fergus Wood (FW)
 David McCowan (DMcC)

In Attendance: Park Authority Staff
 Stuart Mearns, Head of Planning & Rural Development (SM)
 Bob Cook, Development & Implementation Manager (BC)
 Erin Goldie, Development Management Planner (EG)
 Craig Jardine, Development Management Planner (CJ)
 Sandra Dalziel, Governance & Legal Manager (SD)
 Sharon McIntyre, Committee Officer (SMcl) – Clerk

Katherine Sneedan (KS) – Jigsaw Planning
 Mr Iain Methven (IM) – Applicant
 William Roxburgh (WR) – Kilmarnock Community Council
 James MacRae (JM) – Kilmarnock Millennium Association

Apologies: Willie Nisbet (WN)

Item	Title / Discussion	Action by
1	Welcome and Apologies The Chair welcomed those present to the meeting. SMcl advised that apologies had been received from WN.	
2	Declarations of Interest DMcC advised that he is the applicant for agenda item six and will exclude himself for this item.	
3	Draft minutes of meeting held on Monday 26th January 2015 GF highlighted that under item six of the minute regarding the Ben Arthur planning application this should detail for accuracy that Gordon Watson, Chief Executive was copied into his correspondence with the developer who provided a general progress update. Minutes to be updated to reflect this. Subject to the proposed amendments, the minutes were agreed as an accurate record of the meeting and were proposed by GF and seconded by	

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	<p>CB.</p> <p>ACTION: SMcl to update minute to reflect requested amendment.</p>	SMcl
4	<p>Matters Arising</p> <p>CB advised that SM was now in contact with SEPA (Scottish Environment Protection Agency) directly to arrange for a briefing for Committee Members to take place.</p> <p>DMcK highlighted that although this meeting with SEPA may address the issue of receiving conflicting information from our statutory consultees, should this not be resolved this item should again be added to the matters arising document as an open matter.</p>	
5	<p>2014/0303/DET – Land to the rear of Gartocharn Church, Gartocharn</p> <p>EG presented a summary of the proposal for the construction of agricultural access track and retrospective ground engineering works associated with development of an agricultural shed.</p> <p>EG advised that this track would be three metres wide with a grassed central strip and would connect the existing access to the field, adjacent to the Millennium Hall, to the agricultural shed.</p> <p>EG presented photographs of the site to the Committee, this included photographs of the rock removed during the excavation to form a level foundation for the agricultural shed. This rock is currently located on the site and the applicant intends to use this rock to construct the track.</p> <p>EG concluded that her report recommends that the application be approved, subject to the imposition of the conditions set out in appendix one of the report.</p> <p>Following the presentation by EG, members discussed the current access to the agricultural shed via the route to the side of the Millennium Hall and across the open field. Members suggested that the applicant should have taken into account the realistic requirements for access to the shed at the time of his prior approval notification (for the shed).</p> <p>Members discussed the use of the rock currently located on the site in the construction of the agricultural track. Members were concerned that the rock would remain on the site if it was not used in the construction of the agricultural track. EG and BC advised that proposed condition two could be</p>	

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	<p>amended to specify that any excess rock on the site following the construction of the agricultural track would require to be removed from the site.</p> <p>Following this discussion the Chair welcomed a presentation from KS and IM as the applicant for the proposed development. KS outlined the reasoning behind the requirement for an agricultural track on the site, namely that this was necessary to allow for the transportation of cattle to and from the agricultural shed and due to the worsening conditions of the field.</p> <p>Members discussed with IM and KS the current access to the site, IM and KS highlighted that the deterioration of the field has led to the requirement for the agricultural track. Members again noted that any remaining rock on the site not used in the construction of the agricultural track would required to be removed from the site.</p> <p>The Chair then welcomed WR, representing Kilmarnock Community Council to speak in opposition of the application. WR referred Members to the points of objection outlined under section 4.2 of the report submitted by Kilmarnock Community Council. In addition to this WR highlighted the relevant policies that Kilmarnock Community Council believes that this proposal conflicts with namely L1, D1, ED 3 and ENV1 of the Local Plan.</p> <p>Members discussed with WR the visual implications of not creating a proper track on this site and the view of the site from Millennium Hall.</p> <p>The Chair then welcomed JM, representing Kilmarnock Millennium Association to speak in opposition of the application. JM highlighted that previous planning applications including access to this site had been refused and that if access was required to the site this should have been included within the original application for the agricultural shed. JM detailed that letters of support received are not from members of the local community. JM concluded that Kilmarnock Millennium Association is against further development on this site.</p> <p>Members sought clarification on the areas from which the letters of support were received. SM advised that regardless of location this did not impact on the validity of their opinion.</p> <p>Members discussed the ED3 policy in relation to economic development in the countryside and whether this site was allocated for development in the Local Development Plan. SM advised that this site was not allocated for development.</p>	

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	<p>Following discussions the Chair asked members if they agreed with the recommendation to approve the application, subject to the imposition of the conditions set out in appendix one of the report.</p> <p>DMcK proposed an amendment to refuse the application. The amendment was seconded by FW.</p> <p>Other members indicated to the Chair they supported the motion, subject to the following two additional conditions:</p> <ul style="list-style-type: none"> i) the removal of any rock, (currently in the applicants field from the excavation of land to create a level platform for the agricultural shed) not used in the construction of the track should be removed from the site within six months from the implementation of the permission. ii) Works should not be carried out during Gartocharn Church services. <p>Proposed by GF and seconded by OM. SD confirmed the motion and the amendment to the Committee.</p> <p>Members then voted on the motion and amendment by a show of hands. Five members voted for the amendment and two members voted for the motion.</p> <p>DECISION: Members approved the officer's recommendation for construction of the agricultural track subject to the conditions set out in appendix one of the report, with the additional conditions:</p> <ul style="list-style-type: none"> i) The removal of any rock, (currently in the applicants field from the excavation of land to create a level platform for the agricultural shed) not used in the construction of the track should be removed from the site within six months from the implementation of the permission. ii) Works should not be carried out during Gartocharn Church services. <p>A five minute comfort break was held. DMcC left the room as a result of his declaration of interest at the start of the meeting.</p>	

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6	<p>2014/0308/DET – Auchendennan Farm, Arden</p> <p>The Chair welcomed Members back to the meeting and invited CJ to present on agenda item six.</p> <p>CJ presented a summary of the proposal for the conversion of an existing steading building to provide three holiday accommodation units. CJ advised that this application is being presented to the Committee in accordance with the Scheme of Delegation as this application is from a member of the Committee, David McCowan.</p> <p>CJ advised that no objections or letters of representation had been received regarding this application and that this application supported policy ENV28 the conservation and re-use of redundant buildings.</p> <p>CJ informed Members they are recommended to approve the application, subject to the imposition of the conditions set out in appendix one of the report.</p> <p>Members discussed visibility at the connection with the Trunk Road, CJ outlined that condition two of the report details the visibility splays required.</p> <p>Members considered the design of the window at the gable end of the property. CJ advised that this had been negotiated with the applicant and reduced in size from the original plans submitted.</p> <p>Members enquired as to whether the bio disc (the waste water treatment system) at the property would have the capacity to accommodate these additional holiday units. BC noted that this would be a matter for building regulations and should not be included as a condition.</p> <p>CJ informed Members the recommended action was to approve the application, subject to the imposition of the conditions set out in appendix one of the report.</p> <p>DECISION: Members approved the application, subject to the imposition of the conditions set out in appendix one of the report.</p>	
7	<p>Any Other Business</p> <p>DMcC rejoined the meeting.</p> <p>No other matters were raised.</p>	

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Item	Title / Discussion	Action by
8	Date of Next Meeting The next meeting of the Planning & Access Committee will take place on Monday 30 th March 2015.	

Signed _____
Petra Biberbach, Chair

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