

National Park Authority

Planning & Access Committee Meeting



Final Minutes of Meeting held on 18th May 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)
 Willie Nisbet (WN)
 Angus Allan (AA)
 Hazel Sorrell (HS)

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

Apologies: David McCowan (DMcC)

Item	Title / Discussion	Action by
1	<p>Welcome and Apologies</p> <p>The Chair welcomed those present to the meeting. In particular, the Chair welcomed AA and HS as new members of the Planning & Access Committee.</p> <p>SMcl advised that apologies had been received from DMcC.</p>	
2	<p>Declarations of Interest</p> <p>None.</p>	
3	<p>Draft minutes of meeting held on Monday 2nd March 2015</p> <p>DMcK queried whether the wording under item 5 was correct. In his view the wording on page 4 regarding voting was the wrong way around, and suggested that the references to “motion” and “amendment” should be swapped. There was some discussion regarding the wording and Members agreed that it should be updated as proposed by DMcK.</p> <p>Subject to the proposed amendments, the minutes were agreed as an accurate record of the meeting and were proposed by GF and seconded by CB.</p>	

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	ACTION: SMcl to update minute to reflect requested amendment.	SMcl
4	<p>Matters Arising</p> <p>DMcK noted that although item 3 of the paper had been recorded as closed, in his view the issue of handling conflicting advice had not been explained to his satisfaction. He acknowledged that the briefing by SEPA was helpful, but he was still unclear how conflicting advice should be dealt with.</p> <p>There was some discussion by Members and officers regarding how conflicting advice should be handled and Members agreed that each application should be considered on its own merits. Members agreed that item 3 should be recorded as being closed, and that if Members had any concerns they would raise these with SM.</p>	
5	<p>2015/0069/DET – Land at Windygate Aberfoyle</p> <p>BC presented a summary of the proposal for the erection of two sheds and the formation of an internal access track. Illustrations and slides were shown to Members are part of the presentation.</p> <p>BC highlighted that two letters of objection has been received from Gartmore and Strathard Community Councils, which raise concerns regarding the siting of a residential caravan and road safety. In addition to these representations as recorded in the report, BC highlighted that further late representations had been received from a Mr McGarry and Mr Ainslie but that these raised no new substantive matters. The applicant, Mr Craig Johnstone, also sends his apologies for being unable to attend the meeting today.</p> <p>BC advised that there was a residential caravan currently on site, but this had been deleted from the scope of the application. The applicant had agreed to remove the caravan from the site. In relation to the concerns raised about road safety, BC advised that no objections had been raised by Stirling Council as Roads Authority.</p> <p>BC concluded his presentation, confirming that the officer recommendation was for the application to be approved, subject to the imposition of the conditions set out in appendix one of the report.</p> <p>The Chair invited discussion by Members.</p> <p>There was some discussion regarding whether permitted development rights could be excluded as an additional planning condition. SM advised that in</p>	

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	<p>his view this would be unreasonable and may not stand up to legal challenge.</p> <p>There was some discussion regarding the residential caravan currently on site, and what would happen in the event that it was not removed from the site. SM advised that the residential caravan has been deleted from this application, so this was not included in the proposal being considered by Members. In the event that the caravan remained on site, enforcement action would be the appropriate remedy.</p> <p>There was some discussion regarding road signage and whether any additional signage could be erected to improve safety. BC advised that signage was a matter for Stirling Council as Roads Authority to advise on, and they had not made any recommendations in relation to additional signage. CJ highlighted that this application was for the track and sheds only, and that the bell mouth application had been approved separately and was also subject to approval by Stirling Council as Roads Authority.</p> <p>Safety concerns were raised by local members regarding the specific stretch of road, but BC re-emphasised that the bell mouth doesn't form part of the application that they were being asked to consider.</p> <p>Following discussions, the Chair asked Members if they agreed with the officer recommendation to approve the application, subject to the imposition of the conditions set out in appendix one of the report.</p> <p>FW, DMcK, DW, HS and WN confirmed that they did not wish to propose an amendment to the recommendation, but requested that their dissent be recorded in the minute. SD advised Members that in terms of the Standing Orders if they wished to oppose the officer recommendation, they should do so by proposing an amendment.</p> <p>No amendment was proposed, and the remaining Members indicated to the Chair they supported the motion.</p> <p>DECISION: Members approved the officer's recommendation for the erection of two sheds and formation of an access track, subject to the conditions set out in appendix one of the report.</p>	
6	<p>Any Other Business</p> <p>FW queried whether a current application for housing and holiday accomodation at Stronachlachar would be handled as a delegated decision.</p>	

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	<p>SM advised that the application would be handled in line with the Scheme of Delegation. In particular it was noted that if an objection was recorded by the local Community Council this would trigger determination at Committee.</p> <p>FW raised concerns regarding unauthorised development at a site in Aberfoyle and also, more generally, around sporadic development in the countryside, and queried whether as a planning authority we should be factoring this into the Authority's planning policies. SM advised that he would discuss the circumstances of the case and the wider position with FW after the public meeting.</p>	
7	<p>Date of Next Meeting</p> <p>The next meeting of the Planning & Access Committee will take place on Monday 29th June 2015.</p>	

Signed _____
Petra Biberbach, Chair