

National Park Authority

Planning & Access Committee Meeting



Minutes of Meeting held on 15th December 2014
 John Muir Suite, Carrochan, Carrochan Road, Balloch

Present: Colin Bayes (CB) – acting Chair
 George Freeman (GF)
 David McCowan (DMcC)
 David McKenzie (DMcK)
 David Warnock (DW)
 Willie Nisbet (WN)

In Attendance: Stuart Mearns, Head of Rural Development & Planning (SM)
 Bob Cook, Development & Implementation Manager (BC)
 Sandra Dalziel, Governance & Legal Manager (SD)
 Sharon McIntyre, Committee Officer (SMcl) – Clerk
 Catherine Stewart, Development Management Planner (CS)

Apologies: Owen McKee (OM) – Chair
 Petra Biberbach (PB) – Deputy Chair
 Fergus Wood (FW)

Item	Title / Discussion	Action by
1	<p>Welcome and Apologies</p> <p>The Chair welcomed those present to the meeting. SMcl advised that apologies had been received from PB and FW.</p>	
2	<p>Declarations of Interest</p> <p>No declarations of interest were made.</p>	
3	<p>Draft minutes of meeting held on Monday 27th October 2014</p> <p>DMcK referred item 5, paragraph 7, and advised that his comment regarding conflicting information from statutory consultees required amendment. Rather than “expressing his hope that this issue could be addressed”, DMcK clarified that he had requested specific action to be taken to resolve this issue. It was agreed that the minute should be updated to reflect a specific action for the Chair to liaise with SM to review the issue.</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 DMcC.</p> <p>ACTION: SMcl to update minute to reflect requested amendment.</p>	SMcl
4	<p>Matters Arising - NPA/PC/08/2014/04</p> <p>It was noted that this paper would need to be updated to include the specific action discussed in relation to item 3.</p>	

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	<p>It was noted that the other actions detailed in the matters arising document were closed.</p> <p>ACTION: SMcl to update paper to include additional action from previous meeting.</p>	<p>SMcl</p>
<p>5</p>	<p>2013/0267/DET – Ledard Farm, Aberfoyle, Stirling</p> <p>CS noted that this application is being presented to the Planning & Access Committee because the applicant, Mr Fergus Wood (of Ledard Farm), is a member of the Planning Authority and section 5.13 of the scheme of delegation requires all such applications to be the subject of a report for consideration by the Planning & Access Committee.</p> <p>CS provided a summary of the proposal for a 100kW run-of-river hydro scheme on the Ledard Burn at Ledard Farm, near Kinlochard. CS outlined to members the permanent elements which are shown in the Site Layout Plan contained in appendix three and in addition to this the further consequential development as outlined in the report.</p> <p>CS informed members that a pre-application enquiry for a hydro scheme at this site was initially received in 2010. From this initial application the applicant has been advised of the concerns of a new access road and the visual impact this would have on the site therefore an existing forest track is now being proposed as the access road. In the original proposal a pipe route down the side of a wooded ravine was outlined which would have resulted in several trees requiring to be removed. The pipeline in this revised proposal has now been moved to minimise the removal of these trees.</p> <p>CS advised that in terms of ecological impact the removal of trees is of particular concern at the intake therefore replanting has been detailed in the conditions of this application.</p> <p>CS informed members that SEPA had originally objected to this application on the basis of lack of information about impacts on Ground Water Dependent Terrestrial Ecosystems (GWDTEs). As a result further information was submitted by the agent and SEPA have now removed their objections subject to the conditions being attached to the consent.</p> <p>CS highlighted that another concern of the development was that of the impact of the scheme on ‘Helen’s Pool’ (as referred to by Sir Walter Scott), which lies downstream of the intake. However once operational the restored route will have no impacts on the enjoyment of the pool area.</p>	

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	<p>CS noted that this site has the potential for archaeological findings therefore prior to any work commencing on the site the West of Scotland Archaeology Service has advised that a programme of archaeological works are required in accordance with a written scheme of investigation.</p> <p>CS detailed that a traffic management plan and road condition survey would be required should the application be approved.</p> <p>Following the presentation by CS, members discussed the implication of the intake on bryophytes found in the burn. CS explained that the position of the nationally scarce bryophyte was close to the intake location and therefore required to be relocated.</p> <p>Members queried whether the five metre deep cut through the burn embankment would remain after construction had been completed. CS advised that this would be backfilled following completion of construction.</p> <p>It was discussed whether the construction traffic for the site would pass through Kinlochard. CS advised members that the access road to the site was located beyond Kinlochard and therefore construction traffic would indeed pass through Kinlochard.</p> <p>The Chair detailed that the clear advice from SEPA was welcomed and complimented the work carried out to achieve this.</p> <p>Members noted that they were pleased to see that the impact on Helen's pool had been taken into consideration for this application.</p> <p>Members discussed the implications of the application not being able to make use of the forest track road due to permission to use this track being rejected. BC advised that the applicant would then have to reapply outlining a new access route.</p> <p>Members enquired as to whether neighbours to the site were aware of this application. CS advised that adjacent land owners had been informed in accordance with legal requirements, whereby any properties within a certain distance of the site boundary were notified and also that a planning notice was published in the paper.</p> <p>DECISION: Members approved the application, subject to the conditions contained in appendix one of the report.</p>	

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6	<p>Planning Performance Framework 3 2013/2014</p> <p>BC introduced the report advising that this was an update on the 3rd annual Planning Performance Framework (PPF) 2013/2014. BC advised that this report was a key Scottish Government tool in monitoring the quality of planning services in the thirty four planning authorities.</p> <p>BC advised that the report is composed of the following areas:</p> <ul style="list-style-type: none"> - Open for business. - High quality development on the ground. - Certainty. - Communication, engagement and customer service. - Efficient and effective decision making. - Effective management structures. - Financial management and local governance. - Culture of continuous improvement. <p>BC noted that the report includes a 'Project Focus' section which outlines the following specific areas of service quality:</p> <ul style="list-style-type: none"> - our approach to Hydro Development; - working with processing agreements; - LIVE Park; and - our approach to applications subject to Legal Agreements. <p>BC informed members that looking to the year ahead key focuses will be on:</p> <ul style="list-style-type: none"> - Securing customer service feedback. - Refining committee and delegated report structures. - Local Review Body training. - Review procedures for applications subject to legal agreements to reduce targets not being met. <p>Members enquired as to whether the uniqueness of the planning authority within a National Park was taken into consideration. BC and SM advised that it was and that particular sensitivities are recognised and we have been advised that our approach and culture meets the expectations of the Scottish Government.</p> <p>Members discussed the process for the Park Authority developing customer feedback and queried whether there was a standard model to be followed by all planning authorities in Scotland. BC confirmed that there was no national model for customer feedback. BC advised members that the team are meeting with Fife council in the New Year. GF informed members that Argyll & Bute Council issue a survey each year and hold a meeting in the community to collate general feedback on their process. BC advised that</p>	

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	<p>they would draw on best practise to develop our own approach.</p> <p>Members enquired as to whether the statistic of 31 enforcement breaches in 2013-2014 includes the 21 enforcement breaches from the previous year, BC to confirm.</p> <p>ACTION: BC to confirm if the figure of 31 enforcement breaches this year is inclusive of the 21 enforcement breaches from last year.</p> <p>Within the report the approval rate of housing applications is detailed although members enquired as to what the completion rate is on these applications. BC advised that this figure is not requested as part of this report although SM advised that this figure can be provided as this is detailed in the main issues report.</p> <p>ACTION: SM to advise members via the Board microsite of the completion figure for approved housing applications, as detailed in the main issues report.</p> <p>Members discussed the feasibility of all Board members receiving Local Review Body (LRB) training. SD advised that according to the standing orders of the Planning & Access Committee only members of the Planning & Access Committee are able to sit on the LRB panel. SD noted that the standing orders of the Planning & Access Committee are scheduled to be reviewed.</p> <p>The Chair summarised that it was good to see that where targets were not being met that this was planned to be addressed and he gave credit to officers for performing well, especially in relation to actioning environmental impact assessments.</p> <p>DECISION: Members noted the report.</p>	<p>BC</p> <p>SM</p>
7.	<p>Any Other Business</p> <p>DMcK raised that in the weekly planning bulletin the decision from the Loch lubhair lay-by Local Review Body was detailed as 'varied'. BC confirmed that this was correct as this was an amendment to the conditions of the application.</p> <p>DW wished to commend the master planning meeting held in Callander and highlighted that this meeting was well received by those that attended.</p> <p>Members requested an update on the Ben Arthur planning application. BC advised that he did not have any update from the applicants on this, but noted that prior to any work commencing a number of planning conditions</p>	

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	<p>require to be met.</p> <p>The Chair welcomed an update on the recent planning applications referred to the Scottish Ministers, as a result of objections by statutory consultees. BC advised that the applications 2014/0171/DET - Land Adjacent To Riverview, Main Street, Killin and 2012/0064/DET – Former Scout Hut, Buchanan Place, Callander were not called in by the Scottish Ministers and were referred back to the Park Authority for decision.</p>	
8.	<p>Date of Next Meeting</p> <p>The next meeting of the Committee will take place on Monday 26th January 2015 following on from the Special Board Meeting.</p>	

Signed _____

Colin Bayes, Acting Chair