

# National Park Authority Planning & Access Committee Meeting



Final Minutes of Meeting held on 23<sup>rd</sup> November 2015, 13:30hrs  
Three Villages Hall, Arrochar, Argyll and Bute, G83 7AB

Present: George Freeman – Depute Chair  
Colin Bayes (CB)  
David McKenzie (DMcK)  
David Warnock (DW)  
Willie Nisbet (WN)  
Angus Allan (AA)  
David McCowan (DMcC)

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)  
Kirsty Sweeney, Development Management Planner (KS)  
Julie Gray, Development Management Planner (JG)  
Amanda Aikman, Governance & Legal Manager (AAik)  
Sharon McIntyre, Committee Officer (SMcl) – Clerk

Speakers

Bruce Jamieson (BJ)  
Crispin Golding (CG)  
Jeannette Ellwood (JE)  
Ewan Hardy (EH)  
David Henderson (DH)  
Bob Hay (BH)

Apologies: Petra Biberbach (PB) – Chair, Fergus Wood (FW) and Hazel Sorrell (HS)

Item	Title / Discussion	Action by
1	<p><b>Welcome and Apologies</b></p> <p>The Depute Chair welcomed those present to the meeting. The Depute Chair advised that as a result of the Chair, PB, being absent, he would be chairing this meeting.</p> <p>SMcl advised that apologies had been received from PB, FW and HS.</p>	
2	<p><b>Declarations of Interest</b></p> <p>No declarations of interest were made.</p>	
3	<p><b>Draft minute of meeting held on Monday 27<sup>th</sup> October 2015</b></p> <p>DMcK referred to the Any Other Business section of the minute and requested that this was updated to include that the Park Authority Planning team have agreed that future permissions for affordable housing will not specify the type of tenure. SM and the Depute Chair advised that changes to policy and procedural updates should not be presented in the minute and will</p>	

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	<p>be included in Park Authority policy for approval by the Board when required.</p> <p>The minute was proposed by the Depute Chair and seconded by CB.</p>	
4	<p><b>Matters Arising</b></p> <p>The Depute Chair advised that there are no open actions and therefore no matters arising.</p>	
5	<p><b>2015/0124/DET - Land to the South of Cuilimuich Carrick Castle, Lochgoilhead Argyll</b></p> <p>By way of introduction the Depute Chair explained that during this meeting in public, the planning case officers and pre-confirmed speakers will present but that other members of the public are unable to contribute. The Depute Chair confirmed that all speakers will be allowed four minutes to speak as outlined in the standing orders. The Depute Chair noted that recording and taking photographs at the meeting was prohibited. The Depute Chair advised that a site visit had taken place prior to this meeting in relation to this application.</p> <p>The Depute Chair invited CJ to introduce the application. CJ advised that this application was presented to the Planning &amp; Access Committee on Monday 27<sup>th</sup> October 2015 as a result of a significant level of objection to the proposal from this small community and an objection from Loch Goil Community Council. The Committee decision at that time was to defer the application to allow members to visit the site before determining this application. A site visit took place prior to the meeting to enable a better understanding of the context of the proposal, the physicality of the site and the landscape setting, before forming a decision on the application.</p> <p>CJ outlined that this application is for the erection of a multi-purpose estate lodge and estate manager's dwellinghouse (linked with a service block) situated close to the eastern entrance to Carrick Estate, at Carrick Castle. CJ provided information on the location of the site and the proposed development through a series of maps and photographs. CJ referred members to section 3.14 of the original report and provided an overview of the proposed uses for this development. CJ noted that three siting options were considered during the formation of this application. CJ outlined that the proposal comprises of three buildings clustered around a courtyard. CJ referred to section 3.6 of the supplementary report to provide further information on these buildings.</p> <p>CJ provided a summary of the points raised in correspondence received from the Carrick Residents Group subsequent to the issuing of committee papers and prior to the 27th October Planning &amp; Access Committee meeting which have been addressed in the supplementary report in section 4.2.</p>	

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	<p>In conclusion CJ referred to section 8.1 and 8.2 of the original report to advise of the assessment of this proposal against prevailing planning policies. CJ also advised that this assessment was extended to consider whether the proposal would contribute towards the collective achievement of the National Parks four statutory aims. In this case it is considered that the proposal collectively meets the aims of the National Park.</p> <p>CJ concluded the presentation outlining that the officer recommendation was to approve the application subject to the imposition of the conditions set out in appendix one of the report.</p> <p>The Depute Chair invited discussion by Members.</p> <p>Members discussed the implications of this development being proposed out with the settlement boundary in relation to the relevant policies. CJ advised that this would not set a precedent for future development proposals.</p> <p>The Depute Chair confirmed that the order of the speakers would be BJ and CG on behalf of the applicant followed by JE and EH in objection to the application.</p> <p>The Depute Chair invited BJ and CG to speak and they outlined the following points:</p> <ul style="list-style-type: none"> <li>- The business plan for this proposed development has been created considering the policies of the Park Authority and is a long-term plan.</li> <li>- It is intended that this will be a modern estate embracing sustainability in the design, construction and use of the proposed development.</li> <li>- Careful consideration has been made in the positioning of the proposed development with several sites considered during the formation of this application.</li> </ul> <p>Members questioned the level of proposed deer culling. CG advised that this will be a part of the estate manager's duties to control grazing as outlined in the deer management plan.</p> <p>Members questioned how it is planned to remove timber from the site. CG advised that separate proposals have addressed a pier to remove the timber by sea.</p> <p>Following discussion by Members, the Depute Chair invited JE to speak on behalf of the Carrick Residents' Group and she outlined the following points:</p>	

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	<ul style="list-style-type: none"> <li>- In relation to the earlier discussions regarding the business plan and forestry management these aspects are not relevant to the construction of the proposed development.</li> <li>- The business plan is not comprehensive and is based on case studies which are not comparable to this site.</li> <li>- The proposed development is outwith the settlement boundary.</li> <li>- Failure of the proposed business plan will result in the development being left empty or reverting to a bed and breakfast facility.</li> <li>- The committee should listen to residents of this area and reject these proposals.</li> </ul> <p>Members further discussed the business plan for the estate, the Depute Chair invited EH to speak on behalf of Lochgoil Community Council and he outlined the following points:</p> <ul style="list-style-type: none"> <li>- The local community do not wish this development in the area and it is felt that the proposal goes against policy.</li> <li>- It is felt that this is an ambitious project, and like the defence torpedo site which initially provided an attractive plan, it will ultimately fail.</li> <li>- There are safety concerns in relation to the regulation of, storage, and use of firearms in connection with deer culling in close proximity to the village.</li> <li>- The local community is not aware of any individuals who are in support of this development.</li> </ul> <p>Members discussed the positioning of this development outwith the settlement boundary. CJ advised that the proposal is in accordance with our tourism and rural business need policies.</p> <p>On the question of the timing of the implementation of the development, the Depute Chair and SM advised that it is the responsibility of the developer to secure this within the timeframes outlined for planning permission. The Depute Chair and SM noted that the defence torpedo site is still within the timeframe for development. SM further advised that this is not a material planning consideration and that development at the site can take place within three years of planning permission being granted.</p> <p>Members discussed the safety issues relating to deer stalking taking place at the proposed development and concluded that these would be addressed by the estate manager.</p> <p>The Depute Chair asked the speakers to confirm if they had received a fair hearing. Speakers confirmed that they had, although felt restricted by the four minute presentation time. The Depute Chair advised that this is the time outlined in the standing orders for the Planning &amp; Access Committee.</p>	

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	<p>The Depute Chair invited Members to advise if they agreed, as per the officer recommendation to approve the application subject to the conditions contained in Appendix 1. Members agreed unanimously.</p> <p><b>DECISION:</b> Members agreed to approve the application subject to the conditions contained in Appendix 1.</p> <p><i>Members of the public present for this agenda item left the meeting at this point.</i></p>	
6	<p><b>2015/0189/DET - Mansefield, Gartocharn</b></p> <p>KS introduced the report advising that this application is for two dwelling houses within the grounds of an existing house, known as Mansefield, on the main road in Gartocharn. The proposal also involves renovation of the existing house with only a small element of that work requiring planning permission.</p> <p>KS advised that this application will be determined against the new housing policy within the Proposed Local Development Plan in relation to securing commuted sums for infill houses in Loch Lomondside area of the Park.</p> <p>KS provided information on the location of the site and the proposed development through a series of maps and photographs.</p> <p>KS advised that the current policy requires new housing in the Loch Lomondside settlements to be affordable or for local housing needs only. Neither of the proposed houses are considered to meet affordable housing needs.</p> <p>The proposed housing policy requires a house to either be affordable or make a financial contribution towards affordable housing. The applicant has indicated their preference to follow the proposed plan policy approach. The proposal will therefore involve a developer contribution towards affordable housing instead of a local occupancy restriction. KS advised that an amount of £55,000.00 is set out in the draft housing guidance for the developer contribution.</p> <p>The Depute Chair highlighted an error in relation to proposal condition ten. KS agreed to update condition ten to note that 'Rhododendron to be removed from site and prevent it spreading' is more specifically in relation to 'Rhododendron ponticum'.</p> <p>Members discussed the implications of the committee decision should changes be made to the draft policy by the reporter overseeing the local</p>	

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	<p>development plan. SM advised that the decision made by the committee would stand.</p> <p><i>JG left the meeting.</i></p> <p>Members discussed the two representations received from neighbours in support of the application as these had concerns in relation to drainage and trees. KS advised that these concerns have been actioned as outlined in the report.</p> <p><i>JG returned to the meeting.</i></p> <p>Members discussed the design of the houses and the fit of these within this area. KS advised that within this area there is a diverse mix of styles.</p> <p>The Depute Chair noted that no objections had been received from statutory consultees.</p> <p>The Depute Chair proposed the motion to approve the application subject to the imposition of the conditions and a planning obligation (Section 75 agreement) set out in Appendix 1 of the report and subject to condition ten being updated to refer to Rhododendron ponticum. The Depute Chair invited members to advise if they supported the motion.</p> <p>The motion was seconded by WN.</p> <p><b>DECISION:</b> Members agreed to approve the application subject to the imposition of the conditions and a planning obligation (Section 75 agreement) set out in Appendix 1 of the report and subject to condition ten being updated to read as follows:</p> <p>10. <b>Landscaping Scheme:</b> Notwithstanding the Proposed Site plan a revised landscaping scheme including planting plan shall be submitted to and approved in writing by the planning authority prior to the first occupation of either of the 2 new houses. Thereafter the approved landscaping works shall be undertaken within the first planting season following the date of approval. Any trees, or plants forming part of the approved scheme which die, are removed, or become seriously damaged or diseased, within a period of 5 years from date of their planting shall be replaced in the next planting season with a similar size and species unless the planning authority gives approval of a variation. The landscaping scheme/planting plan shall include the following:</p> <ul style="list-style-type: none"> <li>○ Rhododendron ponticum to be removed from site and prevent it spreading.</li> <li>○ Existing trees and shrubs to be removed and identify hedges</li> </ul>	

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	<p>to be retained and enhanced.</p> <ul style="list-style-type: none"> <li>○ Surfacing materials for car parking, and footpaths.</li> <li>○ Details of bin storage areas.</li> <li>○ Details of design, height and material of any new retaining walls, fences, hedges, and any gates.</li> <li>○ Planting plans and written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The planting plan shall include replacement trees for those lost to accommodate the development such as the large beech tree at the entrance.</li> <li>○ Retention of the roadside beech hedge at a height in accordance with condition 3 and the native hedge between the two properties.</li> </ul>	
7	<p><b>2015/0256/DET, Shore Cottage, Luss</b></p> <p>JG introduced this application for the erection of a museum on a plot within the existing curtilage of Shore Cottage (Category C Listed Building) which is within the settlement boundary, and Conservation Area, of Luss. JG advised that there is a valid consent in place for the erection of a dwellinghouse on this site (ref: 2009/0170/DET). The current proposal is for the same approved building, however for use as a museum</p> <p>JG advised that this application is being presented to Committee because an objection has been received from Argyll and Bute Council Roads Authority.</p> <p>JG provided information on the location of the site and the proposed development through a series of maps and photographs.</p> <p>Members discussed the number of parking spaces at the proposed development. The Depute Chair noted that Argyll and Bute Roads Authority detailed that 'A sightline of 2.4 x 25 x 1.05 metres would require to be provided at the driveway/parking spaces.' Condition two however details 'A sightline of 2.4 x 35 x 1.05 metres'. JG agreed condition two should be updated to detail 'A sightline of 2.4 x 25 x 1.05 metres.</p> <p>BC advised that the agent for the application is present should the committee wish to refer any questions to him.</p> <p>Following discussion by Members, the Depute Chair invited DH to speak and he outlined the following points:</p> <ul style="list-style-type: none"> <li>- Visitors to the museum will seek to park in close proximity to the</li> </ul>	

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	<p>museum impacting on access around the village and to that of the Loch Lomond Rescue Boat crew.</p> <ul style="list-style-type: none"> <li>- The creation of this museum will increase commercialisation in the village and impact on the changing nature of the village.</li> <li>- Concern in relation to the stability of a beech tree in poor condition located in close proximity of the development.</li> </ul> <p>Members discussed the issues raised in relation to parking. The Depute Chair advised that there is currently a council consultation underway in Luss to review traffic management within this area.</p> <p>Members discussed the concern raised in relation to the beech tree. JG advised that as this tree is located out with the proposed development site, removal of this tree is a discussion which requires to take place between the owner of the tree and the applicant.</p> <p>The Depute Chair proposed the motion to approve the application subject to the imposition of the conditions set out in Appendix 1 of the report and subject to the sightlines in condition two being updated to detail 2.4 x 25 x 1.05 metres. The Depute Chair invited members to advise if they supported the motion.</p> <p>The motion was seconded by DMcC.</p> <p><b>DECISION:</b> Members agreed to approve the application subject to the imposition of the conditions set out in Appendix 1 of the report and subject to condition two being updated to:</p> <ol style="list-style-type: none"> <li>2. <b>Visibility Sightlines:</b> No development shall take place prior to clear visibility splay sightlines measuring not less than 2.4 x 25 x 1.05 metres to the south being provided to the satisfaction of the Planning Authority and maintained at all times, at the junction with Church Road.</li> </ol>	
8	<p><b>Any Other Business</b></p> <p>Members commended the Park Authority on winning two awards at the Scottish Awards for Quality in Planning.</p>	
9	<p><b>Date of Next Meeting</b></p> <p>The next meeting of the Planning &amp; Access Committee will take place on Monday 21<sup>st</sup> December 2015.</p> <p>Afternote: This meeting was cancelled.</p>	



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Signed \_\_\_\_\_  
**George Freeman, Depute Chair**