



**PLANNING AND ACCESS COMMITTEE**

**MEETING: Monday 26<sup>th</sup> September 2016**

<b>SUBMITTED BY:</b>	<b>Head of Planning &amp; Rural Development</b>
<b>APPLICATION NUMBER:</b>	<b>2016/0151/DET</b>
<b>APPLICANT:</b>	<b>Loch Lomond &amp; The Trossachs National Park</b>
<b>LOCATION:</b>	<b>North Car Park Off B829 Loch Chon</b>
<b>PROPOSAL:</b>	<b>Change of use of land to form campsite including erection of 2No. toilet blocks, 2No. storage buildings, formation of footpaths and associated parking</b>

<b>NATIONAL PARK WARD:</b>	Ward 7 (Trossachs and Teith)
<b>COMMUNITY COUNCIL AREA:</b>	Strathard Community Council
<b>CASE OFFICER:</b>	Name: Vivien Emery Tel: 01389 722619 E-mail: <a href="mailto:vivien.emery@lochlomond-trossachs.org">vivien.emery@lochlomond-trossachs.org</a>

**1 SUMMARY AND REASON FOR PRESENTATION**

- 1.1 The application site comprises an existing visitor car park and woodland area on the south eastern shores of Loch Chon. This is an application to change the use of the site to a campsite (with 26 designated pitches) with associated toilet blocks, storage, footpaths and additional parking.
- 1.2 The level of objection received (a total of 10 representations) is considered to be reasonably high relative to the size of the local community and the application therefore merits determination by the Planning and Access Committee. This paper presents the officers assessment of the planning application and the recommendation.

**2 RECOMMENDATION**

**That Members:**

**APPROVE** the application subject to the imposition of the conditions set out in Appendix 1 of the report.

### 3 BACKGROUND

#### **Site Description**

- 3.1 Loch Chon is located approximately 10 kilometres west of Aberfoyle (see Location Plan in Figure 1 below). The west side of the loch is characterised by commercial plantation (with felling works presently on-going to the south west) whilst mainly deciduous woodland extends along the lochs east side fringes. The Forestry Commission site (which extends to approximately 7 hectares) currently comprises an informal visitor site with parking and network of footpaths. The site is reasonably flat between the existing parking area and the Loch. The northern part of the site slopes up towards the public road (the B829 public road between Aberfoyle and Inversnaid). The majority of the site is well screened from the public road by mature woodland. The woodland within the site is recorded as ancient semi natural woodland.



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**Figure 1: Location Plan**

#### 3.2 Environmental Impact Assessment (EIA)

For the purposes of the Environmental Impact Assessment (Scotland) Regulations 1999 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for

Agenda Item 4

development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required as given the given the scale and limited physical nature of the development it was concluded that there was low probability of any significant impact on the environment.

3.3 **Description of Proposal**

It is proposed to change the use of the site to form a campsite as well as the continued use of the site for day visitors. Informal camping is commonplace within the site during the summer period. The camping proposal would involve the formation of 26 camping pitches. Apart from the scraping of the soil by hand where necessary (to form a level area), and the laying of chipped bark, no physical development is required to form the pitches. Also proposed are two small toilet blocks, plant room and a store room/ranger base (these will all be accommodated within pre-fabricated units clad in timber). In addition to the existing parking areas (that currently accommodates approximately 16 cars) a further 18 spaces will be provided within an existing flat area of the site. These will be provided in the same location as a former parking area that has now grown over. Some sections of the existing access to the parking areas will require to be widened and new turning areas formed. New sections of footpath will be constructed to provide access to each camping pitch. The proposal also includes new hard and soft landscaping including new footpaths and native tree and shrub planting throughout the site. The toilets will be served by a new sewage treatment plant and potable water supply (taken from an nearby burn). Photographs of the existing site can be seen in Photographs 1-3 below.

3.4 It should be noted that the plans have been amended since the submission of the application. Originally 33 pitches were proposed and the toilet/storage units were to be clad with aluminium “di-bond” panels. Following community consultation the pitches have been reduced to a total of 26 and the pre-fabricated units will now be timber clad. Camping “platforms” are no longer proposed and as a result in the reduction of number of pitches, the extent of new footpath construction has also been reduced.



**Photograph 1: Existing Access Road to Site**



Agenda Item 4



**Photograph 2: Existing Car Park**



**Photograph 3: Existing Clearing Adjacent to Loch**

## Agenda Item 4

### 3.5 Background to Your Park

The application forms part of the Loch Lomond and the Trossachs National Park “Your Park” programme. Through Your Park the National Park aims to provide opportunities for people to camp on lochshores in well maintained sites, which have the right facilities and where visitor numbers are managed sustainably. The national park believe that this will allow visitors to enjoy popular lochshore beauty spots and help protect the environment for future generations to enjoy. The plans (comprising four management zones which affect 3.7% of the National Park) include:

- The introduction of 300 low-cost camping places through a combination of new and improved camping facilities and camping permits to allow informal lochshore camping at sustainable levels;
- New seasonal camping management byelaws (which come into force in March 2017 and will apply 1 March – 30 September each year) to regulate camping, tackle antisocial behaviour and make it an offence to cause damage to the Park’s natural environment. They will also prevent inappropriate use of public laybys as encampments by caravans and campervans;
- Continuing education on respect for the National Park and ongoing working with Police Scotland to enforce both existing and new legislation.

Subject to the appropriate consents, camping sites will be created across four management zones. Loch Chon is the first camping site proposed under the “Your Park” programme.

## 4 CONSULTATIONS AND REPRESENTATIONS

### ***Summary of Responses from Consultees***

*Full responses are available on the National Park Authority’s Public Access Website.*

#### 4.1 Stirling Council – Roads

**No objection, subject to one condition** as follows:

- Access Upgrade – the existing bellmouth access shall be upgraded to a minimum width of 5.5 metres and 6 metre kerbed radii. The first 6 metres shall be suitably surfaced.

A Road Opening permit will be required.

#### 4.2 SEPA

**No objection. SEPA have provided the following advice:**

SEPA note that no camping pitches are proposed within the medium likelihood, 1 in 200 year, flood extent, although a number of pitches are in reasonably close proximity to this extent. For the pitches closest to the shore, there is between 1.4m and 2m level difference. Given the considerable size of the loch, SEPA are in agreement that there would need to be a considerable, prolonged period of water entering the loch in order to facilitate such a rise in level. SEPA therefore consider flood risk to these plots can be considered low.

For the small watercourses flowing through the site SEPA recommend a minimum stand-off distance be applied. This distance should be agreed with the local Flooding Authority. It is noted that part of a pathway between the southern car park and camping plot 1 is located within the 1 in 200 year flood extent. It is therefore recommended the pathway will be flush with existing ground levels. It is considered

## Agenda Item 4

appropriate that no land raising is required to construct this path.

A safe evacuation plan should be implemented if possible, however this may need to be based on observed water levels in the loch rather than flood warnings via Floodline

### 4.3 Stirling Council – Flood Prevention

#### **No objection.**

It should be noted that this area is not covered by a current by a flood warning system. Also, during times of flood, access and egress to the site is likely to be limited as a consequence of B829 flooding.

### 4.4 Strathard Community Council

#### **No objection.**

Following amendments made to the proposal that addressed concerns raised by the Community Council, they have decided not to object to the proposal.

*Following initial concerns raised by the Community Council a number of changes to the proposal were made, notably a reduction in the number of camping pitches and the use of timber cladding to the toilet/storage units. The Community Council response also makes reference to management and operational matters of the site however these are not relevant to the consideration of the planning application.*

### 4.5 West of Scotland Archaeological Service (WoSAS)

#### **No objection.**

If the Planning Authority is confident that the layout is finalised and will not be subject to alteration at a later date, no further archaeological work would be required. If the possibility exists that the layout could still be altered, such that changes may impact on the features identified in the walkover report, it is recommended that a condition requiring the completion of a programme of archaeological work in advance of the start of any development.

### 4.6 Scottish Water

#### **No objection.**

There are no public sewers or public water mains within the vicinity of the development.

### 4.7 **Summary of Representations Received (from members of the public)**

*Full representations are available on the National Park Authority's Public Access Website.*

### 4.8 At the date of the preparation of this report, 10 individual representations of objection had been received. This includes one from 'Friends of Loch Lomond'.

A summary of the main issues/concerns from these representations, along with officers response and comment, is outlined below.

- The proposed site of 33 pitches is over development and could result in some 100 or more people using the site. This is out of proportion with the setting and cannot be sustained by the environment or infrastructure of the site. Concerns that the number of campers will exceed the number of residents. A semi-formal campsite is not required for this site.

## Agenda Item 4

**Response:** A total of 26 pitches are now proposed. The proposal involves limited physical development and is limited to car parking provision, toilet/storage units and informal paths. It is considered that the site has sufficient capacity to accommodate the development without compromising the special qualities of the site and wider locality (further assessment relating to the scale of development is outlined within paragraph 7.6). It should also be noted that camping will be seasonal and is likely to operate at capacity at peak summer periods only. No objections have been received by statutory consultees and infrastructure provisions are considered to be adequate.

- There is no demand for a site of this size.

**Response:** Demand is not a relevant planning consideration.

- Detrimental impact on flora, fauna and wildlife (birds and bats). There will be significant environmental impacts on previously undeveloped land;

**Response:** See ecology sections in Planning Assessment paragraphs 7.13 and 7.14 below.

- Disturbance to peoples quiet enjoyment of this peaceful part of the Park;

**Response:** See residential/visitor amenity section in Planning Assessment paragraph 7.16 below.

- Concerns that the public road serving the site is sub-standard (narrow in places/no white lines) and will not cope with additional traffic;

**Response:** See roads and parking section in Planning Assessment paragraph 7.15 below.

- How will the site be managed? Concerns regarding litter control, fire damage, tree removal, crime, consumption of alcohol etc. The development will not address these issues but will instead exacerbate them unless there is on site management.

**Response:** The details of site management are not a relevant planning consideration in the assessment of the proposal. However the applicant has stated that there is no management at present and considers that this proposal, in conjunction with other key outcomes of Your Park will help reduce wider visitor pressure impacts in the locality, the impacts on the natural environment and the social impacts currently experienced at this site during the summer months. Further consideration of impacts on visitor and residential amenity is outlined within paragraph 7.16.

- There has been insufficient consultation with the local community.

**Response:** Statutory consultation and publicity of the planning application has been carried out in accordance with planning legislation requirements.

## Agenda Item 4

- The development is a waste of a scarce public resource. A very basic campsite would suffice in this location.

**Response:** *This is not a material planning consideration.*

- There is currently an appeal with the Information Commissioner regarding a request for the basis on which the Park decide to provide 30 pitches at Loch Chon. It would be wrong for the Park as Planning Authority to consider this proposal until the Commissioner has reached a decision.

**Response:** *This is not relevant to the consideration of the planning application and therefore it would not be appropriate for the Planning Authority to delay making a decision on the proposal on this basis.*

- The use of shipping containers as toilet facilities would not comply with the Park Authority's design guidance.

**Response:** *See section "Implications of site Layout Design and Landscape" in Planning Assessment paragraph 7.12 below.*

- What is the purpose of the barrier on the access road?

**Response:** *The applicant has indicated that the barrier is being installed to provide intermittent control for access to the site. For example, to close the site for a short period of time to allow essential maintenance.*

- Concerns regarding sewerage treatment facilities.

**Response:** *A new sewage treatment plant with outfall to an adjacent burn is proposed. SEPA have raised no concerns regarding these arrangements.*

- Clarity is sought around the process that will be adopted to ensure that the planning application is dealt with objectively when the applicant and the approving body are the same;

**Response:** *As applicant, the National Park Authority has an interest in the development. As planning authority we must carry out a thorough planning assessment of the proposal, follow all necessary procedures and legislative requirements, and reach a decision in accordance with the development plan unless material considerations indicate otherwise. Planning legislation makes certain specific procedural provisions for these circumstances and these are being followed. All officers of the Planning team are bound by a Code of Professional Conduct which requires them to act with competence, honesty and integrity and to exercise independent professional judgement at all times. The application has been considered in the same manner as any other private development proposal.*

- Lack of information on the financial sustainability of the site.



## Agenda Item 4

**Response:** *Financial sustainability is not normally a planning consideration however for larger scale developments that have more complex planning policy considerations or where the failure of a development may have long lasting adverse impacts on the environment the planning authority can ask for a business statement in support of the proposal. In this instance, given the modest scale and very low key nature of the development (discussed further in paragraph 7.6 of the Report), a business plan is not considered necessary when assessing the planning merits of the proposal.*

4.9 The representation from 'Friends of Loch Lomond' includes the following comments in summary:

- Friends of Loch Lomond are supportive of the Your Park initiative and principle of camping provision at Loch Chon;
- There is a need to further justify the scale of development;
- Further information should be provided on site management arrangements and financial sustainability;
- The proposed exterior building cladding should be modified to be more sustainable and more sympathetic material.

**Response:** *Concerns raised by Friends of Loch Lomond reflect those made by individual objectors, the planning response to which is outlined above or later in this report.*

## 5 POLICY CONTEXT

### **National Park Aims:**

5.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:

- (a) to conserve and enhance the natural and cultural heritage of the area;
- (b) to promote sustainable use of the natural resources of the area;
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- (d) to promote sustainable economic and social development of the area's communities.

5.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

### **Development Plan:**

5.3 National Park Local Plan (Adopted Dec 2011)

#### *Relevant Policies:*

- TOUR1: New Tourism Development
- TOUR3: Enhancing and Safeguarding Existing Tourism Sites.

## Agenda Item 4

- REC1: Recreation Development
- REC3: Outdoor Sport and Recreation Opportunities
- TRAN3: Impact of New Development on the Road Network
- TRAN7: Encouraging Outdoor Access
- ENV4: Legally Protected Species
- ENV5: Species and Habitats Identified in National Action Plans
- ENV6: Enhancing Biodiversity in New Developments
- ENV8: Ancient, long established and semi-natural woodlands
- ENV9: Development Impacts on Trees and Woodlands
- ENV10: Protecting the Water Environment
- ENV16: Development in Medium to High Flood Risk Areas
- L1: Conserving and Enhancing the Diversity and Quality of the Park's Landscapes
- NP1: Development in the National Park.
- D1: Design Quality
- SUSDEV1: Sustainable Development

Full details of the policies can be viewed at: <http://www.lochlomond-trossachs.org/planning/planning-guidance/adopted-local-plan/>

### ***Other Material Considerations:***

#### 5.4 Proposed Local Development Plan (2015)

The final consultation period for the Proposed Local Development Plan closed on 29 June 2015. The Proposed Local Development Plan was submitted to Scottish Ministers on 9 December 2015 to request an examination of unresolved representations. The Examination formally commenced on 4 February 2016. The Reporter will submit a report of their examination to the planning authority, containing their conclusions and recommendations on each issue and any modifications to the plan. It is anticipated that the adoption process will start some time next month. In the interim, the Proposed Local Development Plan is a material consideration in the assessment of planning applications and the amount and type of representations are key considerations in determining the weight given to each policy or proposal.

The Proposed Plan provides an indication of likely changes in current planning policy. In this respect, the following policies are relevant:

- Overarching Policy 1: Strategic Principles
- Overarching Policy 2: Development Requirements
- Visitor Experience Policy 1: Location and Scale of new development
- Visitor Experience Policy 2: Delivering a World Class Visitor Experience
- Natural Environment Policy 1: National Park Landscapes, seascape and visual impact
- Natural Environment Policy 4: Legally Protected Species
- Natural Environment Policy 5: Species and Habitats
- Natural Environment Policy 6: Enhancing Biodiversity
- Natural Environment Policy 8: Development Impacts on Trees and Woodlands
- Natural Environment Policy 9: Woodlands on or adjacent to development sites
- Natural Environment Policy 13: Flood Risk
- Transport Policy 3: Impact Assessment and Design Standards of New Development

Full details of the policies can be viewed at: <http://www.lochlomond-trossachs.org/planning/planning-guidance/proposed-local-development-plan/where-we-are-our-proposed-plan/>

## Agenda Item 4

### 5.5 Supplementary Guidance

Sustainable Design Supplementary Planning Guidance (adopted Dec 2011)

Draft Planning Guidance - Visitor Experience (May 2015)

Draft Supplementary Guidance - Design & Placemaking (May 2015)

### 5.6 National Park Partnership Plan (2012-2017)

All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. In this respect the following policies are relevant.

- Con Policy 2: Natural Heritage
- Con Policy 3: Landscapes
- VE Policy 2: Sustainable Tourism
- VE Policy 3: Recreation and Access
- RD Policy 2: Spatial Development Strategy
- RD Policy 7: Sustainable Design and Construction

## 6 **SUMMARY OF SUPPORTING INFORMATION**

A summary of the documents that have been submitted in support of the application now follows under their respective titles:

### 6.1 Design Statement

The design statement provides details of the site layout and design and materials of proposed buildings. The main points from the applicant, in support of their layout and design are as follows:

- The development as proposed utilises the footprint of the existing car park and the footprint of the existing access track to provide access to the proposed new parking;
- Buildings are located within a central area to provide easy access by all campers;
- Camping pitches are located within existing clearings between trees and vegetation in order to minimise any tree loss;
- Camping pitches are generally located under tree canopy cover to minimise visual impact;
- The majority of footpaths follow existing tracks and new footpaths will be informal, with no edging, and surfaced with compacted stone or bark.

### 6.2 Ecological Appraisal

An Ecological Appraisal was prepared by a consultant on behalf of the applicant. The report, which includes a site habitat survey and protected species survey, indicates/recommends the following:

- The broadleaved woodland within the site is of Local Value;
- A detailed assessment with regards roosting bats should be undertaken;
- A pre-construction survey should be undertaken – this would identify any

## Agenda Item 4

badger setts or red squirrel dreys that may be created subsequent to this appraisal;

- Any vegetation or tree removal should take place outwith the nesting bird season to avoid damaging active nests.

### 6.3 Tree Survey

A Tree Survey was prepared by a consultant on behalf of the applicant. The site is characterised by broad leaved woodland and a tree survey of over 400 individual and groups of trees was carried out. The survey concluded the following:

- The layout of proposed paths and camping pitches has been determined with sensitivity and consequently tree loss is at low level within the context of the site;
- 40 individual trees and 3 tree groups require pruning or removal;
- Semi-mature birch trees requiring removal are low or moderate quality trees of less than 20 years of age and the design proposals provide compensatory planting to offset the loss of trees;
- Of the trees surveyed, 20 are regarded as important and require special consideration during construction.

### 6.4 Bat Survey

A bat survey was carried out by a consultant on behalf of the applicant. This survey was carried out on those trees to be felled that have bat roost potential. The survey concluded the following:

- Of the 7 trees inspected, 2 had cavities suitable for use by roosting bats. No field signs of bats were found in any of the trees. As there was no current or historical evidence of use by bats these features were blocked with organic material where possible to prevent them from becoming roosts prior to work being carried out. The blocking of features can remain in place up to 2 months.

### 6.5 Flood Risk Assessment

A Flood Risk Assessment was carried out by a consultant on behalf of the applicant. This concludes that there is no infrastructure located in medium to high risk areas of flooding and that the risk of flooding at the site from all sources is negligible.

### 6.6 Archaeological Walk Over Survey

The walk over survey recommends that 5 metre buffer zones along the lengths of two features (dry stone walls and possible track) shall be clearly marked off before and during the construction phase of the development. No other mitigation is recommended unless it becomes necessary for works to take place within, or plant to enter, the buffer zones, in which case a watching brief should be implemented.

## 7 **PLANNING ASSESSMENT**

7.1 In determining this application the key issues to consider are deemed to be as follows:

- Whether the principle of the proposed development is in accordance with the adopted Local Plan and Park Partnership Plan and whether it accords with the suite of draft policies and draft supplementary guidance that has been through a consultation process as part of the Proposed Local Development Plan;
- Whether the site layout, density, scale and design is appropriate having regard

## Agenda Item 4

- to the landscape setting and local character of Loch Chon;
- Whether the site layout, density and scale is appropriate having regard to the ecological interests of Loch Chon;
- Whether the proposal raises any issues relating to access and parking;
- Whether the proposal raises any other amenity and environmental issues.

The report will now address these key issues in turn.

### **Principle of Development**

#### National Park Local Plan

- 7.2 Policy TOUR1 of the adopted National Park Local Plan sets out the strategy for new tourism development within the National Park and as such is the main development plan tool for assessing the suitability of the chosen location for a tourism accommodation development.
- 7.3 The policy has a three tier approach for supporting tourism developments namely: sites within or adjacent to a settlement or as identified in Schedule 4 of the Local Plan; sites outwith settlements if supported by the strategy set out in Schedule 5 of the Local Plan; or otherwise sites which are either very large scale tourism with exceptional justifications or alternatively small-scale diversification of farms/rural businesses in existing building groups. This application site is not specifically listed within Schedule 4 and therefore one must refer to Schedule 5.
- 7.4 Schedule 5 focuses on wider opportunities within the “sub-destination areas” and states that proposals must demonstrate that:
- they contribute towards the management strategy for the relevant sub-destination area;
  - that the proposal consolidates and enhances the quality and range of tourist accommodation; and
  - that the proposed site is within an appropriate landscape setting.
- 7.5 The development site is within the “Aberfoyle, Queen Elizabeth Forest Park and the Trossachs” Sub-Destination Area. Schedule 5 contains a list of tourism opportunities/constraints for each sub-destination. The relevant part of the schedule in this case specifically refers to *“support for visitor infrastructure and small-scale self catering, bunkhouse, camping opportunities within Queen Elizabeth Forest Park area around Aberfoyle and the Trossachs.”*
- 7.6 In considering the scale of the development, it is necessary to take into account both the number of camping pitches as well as the type and nature of the development. A total of 26 camping pitches are proposed within the 7 hectare site and overall density of the site would be low. The proposed site layout is outlined within Figures 2 and 3 below. To form the camping pitches, apart from some light scraping of the ground (where considered necessary), no grounds works are required and each pitch will be identified by a stake in the ground. Sections of the existing access road will require to be slightly widened and a new section of access road formed to access the 18 new parking spaces. Two small toilet blocks (each containing two toilets – see elevation plan in Figure 4 below), a plant building and storage/ranger base are proposed. Existing paths will be upgraded and some section of new footpaths constructed. The proposal relates to the change of the use of the site to a camping site where the physical character of the site will not significantly change. Given the number of pitches and the “light-touch” nature of the development, the camping proposal is considered to



## Agenda Item 4

be small-scale and comply with Schedule 5 of the Adopted Local Plan. Impacts of the development relating to landscape, trees, ecology, roads and other amenity/environmental matters are considered in more detail in sections 7.12 to 7.17 of the Report.

- 7.7 Policy REC1 and Schedule 6 of the Plan relates specifically to recreation opportunities with the National Park. Within Schedule 6 Loch Chon is located within an area that is identified as having potential for moderate increase of outdoor recreation and which has opportunities for *“infrastructure improvements in Aberfoyle/Trossachs area to encourage outdoor recreation, particularly aimed at family activities such as walking, picnicking and cycling/mountain biking”*. In addition to the proposed camping pitches, the proposal will also provide improved visitor infrastructure within an existing site and the proposals would comply with Policy REC1 in this regard.

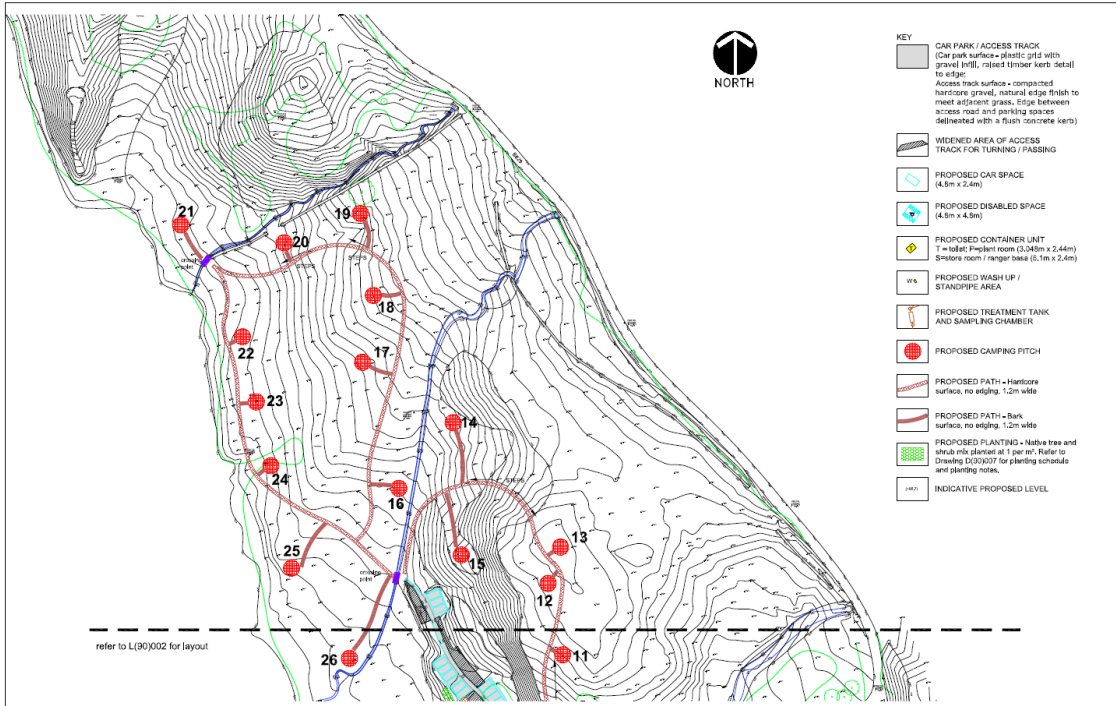
### Park Partnership Plan

- 7.8 VE Policy 1: Visitor Management states that “areas of the Park which are under significant visitor pressure will be managed and improved to ensure the conservation and enhancement of natural and cultural heritage (in particular ensuring the conservation features of designated sites are not adversely affected), a high quality and safe visitor experience which benefits the local economy and the quality of life of local communities is safeguarded”. VE Policy 2 gives priority to directing public and private investment in facilities, accommodation, infrastructure and services to sustainable locations, in particular avoiding adverse effects on designated sites. The proposed development would result in the provision of new facilities and improved management of an existing public car parking site and would comply with the provisions of the National Park Partnership Plan.

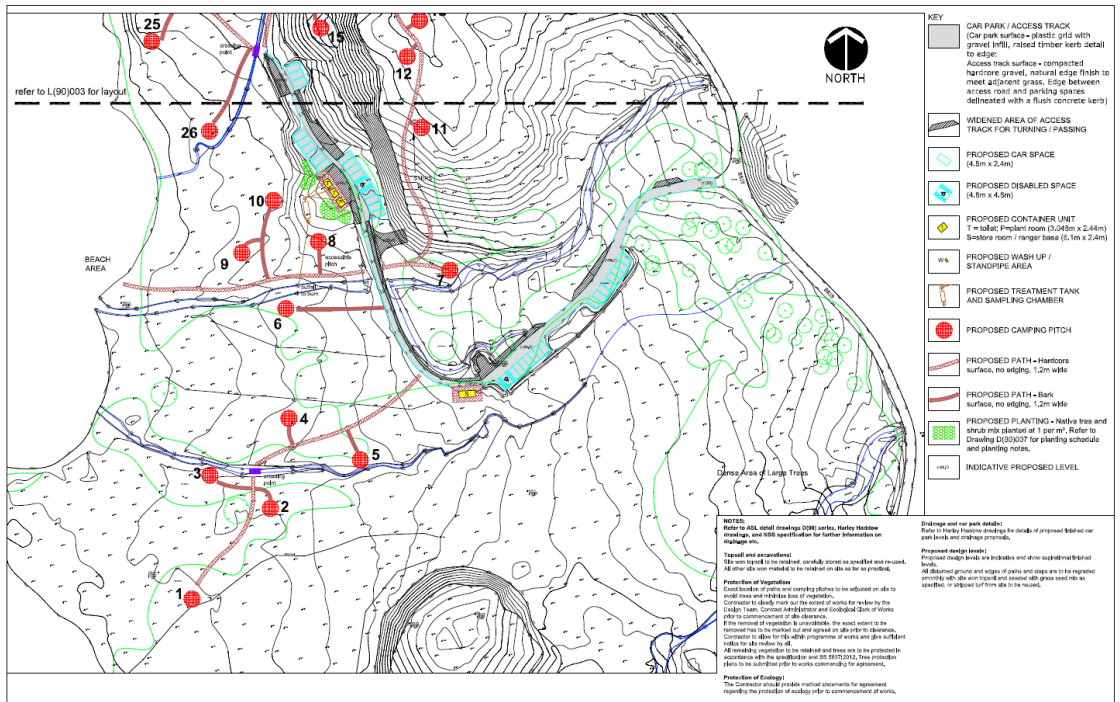
### Proposed Local Development Plan (PLDP)

- 7.9 The PLDP is currently with Scottish Ministers for consideration of unresolved representations. In the interim, the provisions and policies of this document are a material consideration, although weight given to this document is determined by the amount and type of representations on particular policies or proposals. With this in mind, there are unresolved representations to the Visitor Experience Policy VEP1. The unresolved representations in this regard relate to the lack of guidance, clarity and support for camping provision in the Proposed Local Development Plan and the lack of integration/different terminology between the Proposed Plan and the ‘Your Park’ work currently being undertaken by the National Park Authority (which involves identifying where new camping provision, and investment in this, is required). These representations have a bearing on the policy assessment of this proposal and therefore, limited weight can be given to the Visitor Experience Policies of the PLDP. Notwithstanding this, consideration of the proposal against VEP1 is outlined below.

# Agenda Item 4



**Figure 2: Site Layout of Northern Part of Site**



**Figure 3: Site Layout of Southern Part of Site**

Agenda Item 4



Photograph 4: Access (to be widened) looking towards new parking area

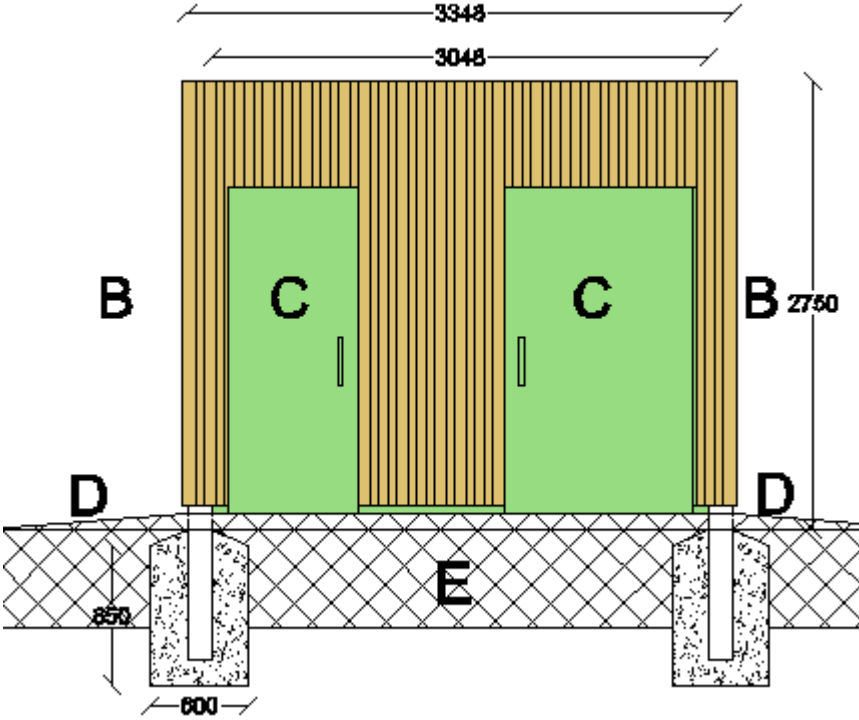


Figure 4: Proposed Timber Toilet Units

## Agenda Item 4

- 7.10 The Vision relating to Visitor Experience in the PLDP, which has no outstanding representations, seeks more places to camp and enjoy the outdoors. The Development Strategy – which sets out how the Vision will be delivered during the Plan period - states that the plan will support enhancements of visitors' experience of the Park by supporting "Your Park" through protecting the natural environment and providing tourism accommodation. Within the Development Strategy Map contained within the PLDP, the site is located within an area identified as having small scale tourism potential. In addition, small scale development is supported where it would help deliver a strategy or action identified in the National Park Partnership Plan (see paragraph 7.8). Further advice on "scale" of development is given within Draft Planning Guidance: Visitor Experience (it should be noted that the Draft Guidance is not part of the PLDP examination). When considering scale it states that each proposal will be assessed on the particular size of the site, number of units and type of tourism facility proposed. The guidance also gives a definition of formal, semi-formal and informal sites. The proposed development would fall within the definition of semi-formal which is defined as sites that *"are usually "light-touch" seasonal sites for tents and possibly some motorhomes. Parking is likely to be grouped with no access roads only a path network and no formal hard-standings. Some composting or temporary toilet provision may be included and some low level lighting"*. The guidance goes on to say that informal touring caravan and campsites would likely to be considered small-scale and that formal or large sites would not. There is no specific reference to whether semi-formal sites are considered to be small scale or not. This assessment must therefore be made on the basis of the number of pitches and type and nature of the development set against the Vision's aspiration. This is discussed in paragraph 7.6 above which concludes that the proposed development is considered to be small scale. The proposed development is therefore considered to be in accordance with VEP1.
- 7.11 Although it can be concluded that the proposal would comply with VEP1, as there are unresolved representations to this Policy it can be given only limited weight. Policy VEP1 does not, however, raise any significant new policy considerations than those contained within the Adopted Local Plan. Within this location, Policy VEP1 has a similar strategy to that of the adopted National Park Local Plan and Park Partnership Plan, with support given to small scale tourism development. Therefore, whilst unresolved representations to VEP1 of the PLDP remain outstanding, given that for this proposal, there are no new significant policy considerations, it is considered appropriate in terms of process that this planning application can be determined now.

### **Implications of Site Layout and Design on Landscape**

- 7.12 The camping pitches would be well spaced out over the 7 hectare site, resulting in a low density development. The majority of trees within the site will be retained (see paragraph 7.13) resulting in extensive tree canopy cover. New infrastructure will not be visible from the public road or Loch Chon and views of tents and cars from the public road will be fleeting. Camping pitches will be accessible by foot only and not by car. The construction of new access roads (compacted hardcore gravel surfacing), parking areas (grid with gravel infill) and footpaths (compacted hardcore gravel or bark surface with natural edge) will be sympathetic to the rural setting. The pre-fabricated units are small scale and will be clad externally in timber. Their semi-temporary nature (they are capable of being easily moved within or off the site) and design/finish is considered to be appropriate at this location (photographs of the existing access to be widened and the proposed timber clad buildings can be seen in Photographs 4 and 5 above). Given the scale of the development and proposed construction methods, coupled with



## Agenda Item 4

existing tree canopy cover and existing topography, the proposal will sensitively integrate into the surrounding landscape and the landscape qualities of the Loch Chon area will not be significantly impacted on by the development. The National Park's Landscape Adviser has advised that there will be no adverse impact upon the Special Qualities of Loch Chon and that landscape impacts will be short term during the construction period and in the medium to long term there will be beneficial landscape and visual impacts due to the alleviation of issues currently experienced on site. Overall the proposal is considered to comply with Policy L1 and D1 of the Adopted Local Plan and Natural Environment Policy 1 of the PLDP.

### **Implications of Site Layout and Design on Trees and Ecology**

- 7.13 Tree removal is to be kept to a minimum. Up to individual 40 trees and three small groups of trees will require to be pruned or removed, to accommodate the development, the majority of these being relatively young trees within the location of the new parking areas. Compensatory shrub and tree planting is proposed. Pitches and paths are to be micro-sited to avoid trees and minimise vegetation loss where possible. Where paths cannot avoid the root protection areas of trees a "no-dig" construction method will ensure the roots are not damaged. The National Park Trees and Woodlands Adviser has no objection to the proposals and has advised that the tree losses would be acceptable subject to the loss being compensated for by replacement planting on the completion of the works. Conditions are recommended in this regard as well as conditions relating to tree protection and a Woodland Management Plan. Overall impact on trees will be minimal and the proposal would comply with policies ENV8 and ENV9 of the Adopted Local Plan and Policy NPE8 and NPE9 of PLDP.
- 7.14 An ecological appraisal has been undertaken and no evidence of protected species was found. A number of trees to be felled were identified as having features that could be used by roosting bats. A bat survey of these trees was subsequently undertaken however no evidence of bats was found. The National Park ecological adviser has recommended conditions relating to a further pre-construction survey (for red squirrels) and a walkover survey for nesting birds if works are to take place between March and July. Provided the above conditions are in place, the proposal will avoid impacts on protected species and habitats and will therefore be consistent with Policy REN2 and ENV4 of the Adopted Local Plan and policies NEP4 and NEP5 of the PLDP.

### **Roads and Parking**

- 7.15 Representations from local residents raise concerns that the public road that will provide access to the development is sub-standard and cannot cope with the additional traffic that would be generated by development. Stirling Council as Roads Authority considered the proposals and confirmed no objection. The proposals are therefore in accordance with policies TRAN3 and TRAN6 of the local plan.

### **Other Amenity & Environmental Matters**

#### **Residential & Visitor Amenity**

- 7.16 Some concerns have been raised regarding the impact of the development on the quiet enjoyment of the Park including impacts of litter, alcohol, crime and anti-social behaviour. The site would be managed and it is anticipated that the provision of managed camping facilities within the site will help prevent environmental damage and control anti-social behaviour resulting in an improvement in visitor amenity and visitor experience of the site. There will be a booking system that will require users of the site



## Agenda Item 4

to agree to the terms and conditions which will include responsible behaviour including acceptable noise levels. Regarding crime, in responding to the public consultation on “Your Park”, Police Scotland stated that they *“remain committed to Operation Ironworks – the annual operation to tackle Antisocial Behaviour, Environmental Crime and damage and road safety within park area brought about by increased visitor pressure – and we look forward to the continuation of this successful partnership within the Loch Lomond and Trossachs National Park”*. It is considered that the site has adequate capacity to sensitively accommodate an increase in visitor numbers without impacting on residential or visitor amenity (the nearest dwelling is located approximately 0.8 km to the south of the site) and proposals will help reduce existing visitor pressure impacts, the impacts on the natural environment and the social impacts currently experienced at this site.

### Flooding

- 7.17 The requirements of SEPA and the Stirling Council Flood Prevention Officer (as set out in paras. 4.2 & 4.3) have either been addressed by the proposed site layout or can be adequately addressed through conditions. This includes the requirement to submit an evacuation plan that outlines how the site will be safely evacuated in periods of prolonged rainfall.

## **8 CONCLUSION**

- 8.1 In conclusion, the proposal, by nature of the number of pitches and requirement for minimal development on the ground, is considered to be small scale and comply with relevant tourism/visitor experience policies of the Adopted Local Plan. While limited weight can be applied to the VE policies of the PLDP, it is noted that it also complies with the policies and vision of the plan. The visual and physical impact of the development will be low and there will be no adverse impact upon landscape, trees or ecology and in this regard the proposal would comply with the natural environment policies of the Adopted Local Plan and PLDP as well as assist in achieving the first statutory aim of the Park to conserve and enhance the natural heritage. Ultimately, the proposal will result in a positive recreation experience for campers, day visitors and walkers that will also help meet the third statutory aim of the National Park to promote enjoyment of the Park’s areas.

Additionally, other material considerations have been taken into account, including the response from Strathard Community Council, the individual letters of objection from local residents, and also the representation from ‘Friends of Loch Lomond’. The matters raised have been addressed under their relevant sections and there has been no justification found to indicate a contrary position to the support provided by the relevant local plan policies. In addition, there are no objections from any other statutory or non-statutory consultees. A number of modifications have been incorporated, by the applicant, into the proposal during the process of considering the application, most notably a reduction in the number of pitches, and the recommended planning conditions (as proposed and set out in Appendix 1 to this report) also seek to address concerns and issues raised.

- 8.2 In conclusion, the proposal is in accordance with the development plan and other material considerations do not outweigh this conclusion. Therefore, the proposal is recommended for approval, subject to imposition of conditions (detailed in Appendix 1).

## Agenda Item 4

**Background** <http://www.lochlomond-trossachs.org/planning/>

**Documents:** *Click on view applications, accept the terms and conditions then enter the search criteria as '2016/0151/DET'*

**List of Appendices:** *Appendix 1 Conditions and List of Plans*

### Appendix 1

#### Planning Conditions:

1. **Agreement of Materials and Specifications:** Prior to its application to the storage/toilet units hereby approved, details of the colour/treatment/finish of the proposed timber cladding shall be submitted to, and agreed in writing by, the Local Planning Authority. Thereafter the specification and materials as may be approved in accordance with this condition shall thereafter be undertaken and used respectively in the completion of the project, prior to the proposed development being brought into use.

REASON: To ensure that the external appearance of the development complements the rural character of the area and to ensure the implementation of the development in accordance with the further details as may be approved in compliance with the conditions attached to this permission.

2. **Detailed Construction Method Statement (CMS):** Prior to commencement of construction of the development hereby approved, a detailed Construction Method Statement (CMS), which sets out how the construction phases of the development will be managed, shall be submitted to, and approved in writing by, the Local Planning Authority (in consultation with SEPA). In particular, the final CMS shall cover the following:

- a) Pollution prevention safeguards and sedimentation safeguards around all areas of construction, development and camping where surface run-off could carry suspended soils into the loch or burns.
- b) Location of storage and disposal of materials.
- c) Landscape mitigation and restoration techniques (including detailed drawings) relating to access road and footpaths.
- d) Protected species mitigation for Red Squirrel.
- e) Protected species mitigation for Bats (this should include confirmation that the cavities suitable for roosting bats identified within the Bat Survey dated 23 August 2016 shall be blocked with organic material every 2 months until the completion of development on site).
- f) Mitigation for breeding birds.
- g) Mitigation for working close to trees.

REASON: To ensure the construction phase is carefully managed to minimise landscape impacts and to mitigate adverse impacts on ecology.

3. **Breeding Bird Protection:** No tree felling or route clearance shall take place within woodland areas between 1 April and 31 July unless a breeding bird protection plan has been first submitted to, and approved in writing by, the Local Planning Authority. All tree felling or

#### Agenda Item 4

route clearance carried out between 1 April and 31 July shall be implemented in accordance with the agreed Breeding Bird Protection Plan.

REASON: To avoid disturbing nesting birds during bird-breeding season and to ensure the proposed works do not contravene Nature Conservation laws relating to the protection of any wild bird nest while in use or being built.

**4. Red Squirrels:** Prior to commencement of the development hereby approved pre-construction checks for any new squirrel dreys should be carried out by a competent surveyor. Any felling operations to clear trees that was too dense for effective location of squirrel dreys should be scheduled and completed outwith the breeding season (February to September).

REASON: Red squirrels are a European Protected Species and developers must take reasonable steps to establish if any red squirrels are likely to be disturbed by the development.

**5. Landscape Clerk of Works/ On-site Landscape Architect:** No development shall commence on site until a suitably qualified Landscape Clerk of Works (LCoW) or On-site Landscape Architect has been appointed to oversee the setting out, construction and restoration of all project elements likely to have a landscape impact.

REASON: To ensure that the landscape mitigation outlined within Condition 6. below is followed during construction and to minimise landscape and visual intrusion from the development.

**6. Scope of works to be carried out by the Landscape Clerk of Works:** Prior to appointing the LCoW in accordance with Condition 5. above, the scope of works and responsibilities for that person shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum, the LCoW shall:

- Attend a pre-start meeting;
- Give toolbox talks to contractor;
- Have a watching brief over key stages within the construction schedule of the development and monitor implementation of the construction method statements with regard to landscape integration;
- oversee site clearance and earthworks, siting of pitches and paths and minimise working corridors required;
- oversee the location of the site compound and all materials storage;
- ensure the micrositing of tent pitches and of paths alignment including steps and bridges;
- ensure attention to detail through on-site localised design such as ; vary the widths and microsite stretches of path to enable them to weave in a naturalistic manner to allow the eye to lead from one pitch to another. Tent pitches should reflect their position within the campsite and be individually designed to vary in shape with hand-digging as required to integrate them. Paths, pitches and associated servicing should be micro-sited to minimise impact on trees;
- oversee landscape reinstatement works including turf and soil management;
- oversee the landscaping ; planting, seeding of reinstated areas, mitigation and enhancement planting as required and siting of all site infrastructure including picnic tables, benches, barriers, signage and recycling nodes.

REASON: To ensure that the landscape mitigation agreed in the detailed Construction Method Statement is followed during construction and to minimise the landscape and visual intrusion from the development.

## Agenda Item 4

**7. Details of Landscaping and Tree Planting Plan:** Prior to the commencement of the development hereby permitted full details of both hard and soft landscaping works shall have been submitted to, and approved in writing by, the Planning Authority. These details shall include means of enclosure, car parking layouts, other vehicle and pedestrian access and

circulation areas, hard surfacing materials and all site infrastructure including signage, barriers, picnic tables, benches and recycling nodes. Soft landscape works shall include landscaping mitigation works, including tree planting, details of species, nursery stock size and density of planting, protection and grass and wildflower seeding maintenance. The species choice, design and layout shall be tailored to reflect the existing vegetation and soil types. Details of the proposed future management of the tree planting and grass/wildflower areas shall be provided, and unless otherwise agreed in writing with the Planning Authority, all landscaping works as approved shall be carried out during the first planting season following the commissioning of development and any trees or plants that, within a period of 5 years thereafter, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species.

REASON: To minimise the visual impact of the development and to enable it to best fit in with its surroundings and to enhance the local area.

**8. Tree Protection Plan:** Before the development is commenced, a tree protection plan detailing measures to be taken during construction to protect the health of the existing trees within and adjacent to development areas shall be submitted to, and approved in writing by, the Planning Authority. This shall include details of mitigation measures of working next to trees within steep areas. The measures contained in the approved method statement shall be implemented in full throughout the construction phase.

REASON: To prevent damage to trees in the interests of the visual amenity of the area

**9. Woodland Management:** Prior to the use of the site as a camping site a Woodland Management Plan (including monitoring of the medium to long term impacts of the camping pitches on trees) shall be submitted to and approved by the Planning Authority. The woodland shall thereafter be managed in accordance with the approved Woodland Management Plan.

REASON: To maintain and enhance the native woodland due to the change of use proposed for the site and to ensure the long term future of the landscaped setting for the development that integrates it with its surroundings and safeguards the visual amenities of the area.

**10. Access Upgrade:** Prior to the use of the new parking area or use of the site as a campsite, the existing bellmouth access shall be upgraded to consist of a 6m kerbed radii. The access shall have a minimum throat width of 5.5m for the initial 6m, measured from the edge of the carriageway, before tapering down to a width of 3m. The initial 6m of access must be suitably resurfaced and drained to ensure no surface water is discharged or loose material carried from it onto the public road. All works shall be constructed to this Service's "Development Roads Guidelines and Specifications".

REASON: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the public road is not diminished.

**11. Footpath Construction:** For the avoidance of doubt, the pathway between the access road and Pitch No.1 shall be flush with existing ground levels and no landraising shall take place.

## Agenda Item 4

REASON: In order to safeguard the storage and conveyance of the functional floodplain.

**12. Evacuation Plan:** Prior to the use of the site as a camp site, an evacuation plan which outlines the procedures to evacuate the site in the event of flooding, shall be submitted to and approved in writing by the Planning Authority.

REASON: To ensure that the risk to users of the site is reduced.

**13. Archaeology: Buffer Zone/Watching Brief:** Prior to the commencement of works, a 5 metre buffer zone shall be marked off along the lengths of features F1 and F3 identified within the Archaeological Walk Over Survey dated 1 July 2016. If works or the storage of plant/machinery is required to take place within the buffer zone then the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

REASON: To ensure that any items of archaeological interest that might be damaged or disturbed by the development are recorded and recovered as necessary for the benefit of the nation.

### Informatives

1 Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.

2 Roads Consent - The applicant is advised that in terms of Sections 21 and 65 of the Roads (Scotland) Act 1984 he/she/they must obtain from the appropriate Council as Roads Authority consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

3 Protected species in vicinity - are known to be in the vicinity of the proposed development. Please be aware that they are fully protected, and it is an offence to deliberately, capture, injure or kill them or to damage, destroy or obstruct their breeding or resting places. It is also an offence to disturb them in their breeding or resting places.

4 Contact should be made with SEPA's local regulatory team regarding any proposals to undertake alterations to or works on the bank or bed of the watercourse as this may constitute an activity which requires to be authorised under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). It should be noted that any and all work affecting the bank or bed of a watercourse must comply with the General Binding Rules of the above legislation. Details of regulatory requirements and good practice advice can be found on SEPA's website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a



## Agenda Item 4

member of the regulatory team in your local SEPA office at: Balloch Office, Carrochan, Carrochan Road, Balloch G83 8EG (tel no. 01389 727770).

5 Surface Water - Disposal of surface water from the site should comply with General Binding Rules (GBRs) 10 and 11 of The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended). Details of the requirements of these GBRs can be found on SEPAs website or from SEPAs Perth Environmental Protection and Improvement Team on 01738 627989.

6 Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

7 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

### List of Plans

<b>Title</b>	<b>Reference</b>	<b>Date Received</b>
Location Plan		16/05/16
Construction Specifications	300918-101	16/05/16
Mechanical and Electrical Layout	300937-ME(96)01	16/05/16
Burn Crossings	D(90)006	06/07/16
Footpath Detail	(90)001	11/07/16
Site Layout Sheet 1 of 2	L(90)002 REV B	06/09/16
Site Layout Sheet 2 of 2	L(90)003 REV A	06/09/16
Proposed Layout of Mechanical and Electrical External Services	300937-ME(96)01 REV E	09/09/16
Plant Room Elevation Plan	D(90)003 REV C	09/09/16
Toilet Block Elevation Plan	D(90)008 REV B	09/09/16
Store Room Elevation Plan	D(90)009 REV B	09/09/16