

# National Park Authority

## Planning & Access Committee Meeting



Draft Minutes of Meeting held on 28<sup>th</sup> August 2017, 13:30hrs  
John Muir Suite, Carrochan, Carrochan Road, Balloch

Present: Petra Biberbach (PB) – Chair  
George Freeman – Depute Chair  
Hazel Sorrell (HS)  
David McKenzie (DMcK)  
David Warnock (DW)  
Willie Nisbet (WN)  
David McCowan (DMcC)  
Fergus Wood (FW)

In Attendance: Park Authority Staff  
Stuart Mearns, Head of Rural Development and Planning (SM)  
Catherine Stewart, Development Management Planner (CS)  
Simon Franks, Woodland Adviser (SF)  
Sue Laverge, Development Management Planner (SL)  
Amanda Aikman, Governance & Legal Manager (AAik)  
Sharon McIntyre, Committee Officer (SMcl) – Clerk

Speakers  
Colin McEachran (CM)

Apologies: Colin Bayes (CB)  
Billy Ronald (BR)

| Item | Title / Discussion   | Action by |
|------|--|-----------|
| 1    | <b>Welcome and Apologies</b><br><br>The Chair welcomed those present to the meeting. The Chair and SMcl advised that apologies had been received from CB and BR.   |           |
| 2    | <b>Declarations of Interest</b><br><br>None.   |           |
| 3    | <b>Draft minute of meeting held on 26<sup>th</sup> June 2017</b><br><br>The minute was proposed by HS and seconded by DMcK.  |           |
| 4    | <b>2017/0111/DET – Bridge Of Lochay Hotel, Killin</b><br><br>The Chair invited CS to introduce the application. CS outlined that this application is for the erection of a dwellinghouse for the managers of the Bridge of Lochay Hotel, Killin.<br><br>In accordance with the Park Authority's Scheme of Delegation, this application must be determined by the Planning and Access Committee as the application site crosses the boundary into Stirling Council Planning Authority area and therefore requires to be handled jointly with Stirling |           |

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|      | <p>Council.</p> <p>CS explained through a series of maps, photographs and plans the application site and development proposals.</p> <p>CS outlined the key issues for determination of this application: the principle of development, siting and design of the proposed house including materials, the access to the property, parking, tree removal and landscaping.</p> <p>CS advised that at the time of publication of the report no representations had been received and there was no objection from Stirling Council Roads as the statutory consultee.</p> <p>The Chair invited questions/discussion from Members.</p> <p>Members discussed the location of this site in relation to the boundaries for Stirling Council and the Park Authority. Members discussed the process for the approval of an application crossing the boundary of a local authority and the Park Authority.</p> <p>Following discussion, the Chair advised of the officer's recommendation. GF moved the officer's recommendation to approve the application subject to the conditions contained in Appendix 1 of the report. HS seconded the motion.</p> <p><b>DECISION:</b> Members approved the application subject to the conditions contained in Appendix 1 of the report.</p> <p>CS left the meeting.</p> |           |
| 5    | <p><b>2017/0129/DET – Tayview, Main Street, Killin</b></p> <p>The Chair invited SL to introduce the application. SL outlined that this application is for erection of a house to the rear of 'Tayview', Main Street. This application is being presented to the Planning and Access Committee as Stirling Council has objected on road safety grounds as the visibility splays of the shared driveway onto Main Street falls below the minimum standards.</p> <p>SL explained through a series of maps, photographs and plans the application site and development.</p> <p>The Chair invited questions/discussion from Members. DMcK raised concerns with a recommendation against the guidance of a statutory consultee.</p> <p>SL provided a background to how this recommendation was reached and the mitigating circumstances involved, as outlined in section 7.6 and 7.7 of the</p>  |           |

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|      | <p>report.</p> <p>Members discussed the methods employed by Stirling Council. SL confirmed that current standards have been applied.</p> <p>SL provided clarification regarding the siting of this proposed development and the planning history.</p> <p>Members enquired again as to the reasoning behind the recommendation to approve this application against the guidelines of a statutory consultee.</p> <p>BC provided further justification of the mitigating circumstances of this application and the pragmatic judgement that has been made notwithstanding this safety issue.</p> <p>Following discussion, the Chair advised of the officer's recommendation. GF moved the officer's recommendation to approve the application subject to the conditions set out in Appendix 1. HS seconded the motion.</p> <p><b>DECISION:</b> Members approved the application subject to the conditions set out in Appendix 1.</p> <p>SL left the meeting.</p>   |           |
| 6    | <p><b>Tree Preservation Order Recommendation - 2017/0005/TPO – Dundarroch, Brig o'Turk</b></p> <p>The Chair informed members that a request had been received from the landowner Lomond Active Ltd to adjourn this agenda item as their preferred representative is unable to attend the meeting. In accordance with our Standing Orders (<i>Standing Order 23 'Requests from relevant parties to continue applications to another date to allow them to attend will not be considered.'</i>) we will proceed with this agenda item.</p> <p>The Chair invited SF to introduce the application. SF advised that the recommendation is to note the making of the TPO on the 18th May 2017 – issued with approval of the Chair of the Planning &amp; Access Committee (Reference: 2017/0005/TPO) and confirm the TPO with modification (as outlined in appendix 1).</p> <p>SF advised members that the TEMPO score on page 9 of the report should be 29 and not 28 as detailed.</p> <p>SF advised that a TPO was made on the 18<sup>th</sup> May 2017 by the Head of Rural Development and Planning, this was issued with approval of the Chair of the Planning &amp; Access Committee. All interested parties, including Community Council and relevant Board members, were notified of a 28 day consultation</p> |           |

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|      | <p>period for the TPO. The TPO is valid for 6 months although requires to be confirmed by the Planning &amp; Access Committee.</p> <p>SF advised one representation in support had been received from Mr Maxwell a local resident. Two representations had been received in objection, one from Mr Murat on behalf of Lomond Active and one from Mr Macdonald a local resident.</p> <p>Following the publication of the report, SF advised that two further representations had been received. A representation from Mr McEachran of Lomond Active who advised that there was no intention to remove the woodland and a specialist had been consulted. Mr Murat also submitted a representation, on behalf of Lomond Active, contesting the use of the TEMPO assessment and the modifications to the TPO.</p> <p>SF explained through a series of maps and photographs the location of the Tree Preservation Order (TPO) outlined in the report and why this TPO had been established.</p> <p>The Chair invited CM to speak on behalf of Lomond Active. CM requested an adjournment of the agenda item until a site visit could be carried out by the committee. The Chair advised that the agenda item would not be adjourned at this time and that the option of a site visit is an option that members are aware of requesting should they find necessary.</p> <p>CM outlined a number of points which included:</p> <ul style="list-style-type: none"> <li>- Mr McEachran had no intention of removing trees, only maintaining diseased or damaged trees.</li> <li>- There was no consultation prior to the TPO being issued.</li> <li>- Objecting to the modification of the TPO from two areas to one area.</li> <li>- The assessment which should have been used on the woodland should have been the Helliwell System.</li> </ul> <p>Members discussed with CM why the trees had been removed. SF provided clarification on the extent of the removal of trees.</p> <p>Members discussed the area of the TPO and sought clarification of the reasoning behind the TPO covering areas where there are not currently trees. SF advised that this is to allow for woodland regeneration.</p> <p>The Chair sought clarification from officers that due process had been followed. SM and SF advised that it had.</p> <p>SF explained that the TPO does not prevent maintenance of the woodland should this be carried out correctly. CM and officers were in agreement that future dialogue regarding correct maintenance of the woodland would be welcomed.</p> |           |

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|      | <p>Following discussion, the Chair advised of the officer's recommendation. FW moved the officer's recommendation to:</p> <ul style="list-style-type: none"> <li>a) Note the making of the TPO on the 18th May 2017 – issued with approval of the Chair of the Planning &amp; Access Committee (Reference: 2017/0005/TPO)</li> <li>b) Confirm the TPO with modification (see appendix 1).</li> </ul> <p>HS seconded the motion. The motion was unanimously supported.</p> <p><b>DECISION:</b> Members agreed to:</p> <ul style="list-style-type: none"> <li>a) Note the making of the TPO on the 18th May 2017 – issued with approval of the Chair of the Planning &amp; Access Committee (Reference: 2017/0005/TPO)</li> <li>b) Confirm the TPO with modification (see appendix 1).</li> </ul> |           |
| 7    | <p><b>Planning Performance Framework 6 (2016 – 2017)</b></p> <p>The Chair invited BC to introduce the report. BC provided a background to the Planning Performance Framework (PPF) advising that this report to Scottish Government assesses the performance and the quality of planning services across Scotland.</p> <p>Members welcomed the content of the PPF and expressed an interest in visiting one of the run of river hydro schemes. Following discussion, the Chair moved the officer's recommendation. HS seconded the motion. The motion was unanimously supported.</p> <p><b>DECISION:</b> Members agreed to:</p> <ul style="list-style-type: none"> <li>a) Note the content of this report and the Planning Performance Framework document as appended.</li> </ul>               |           |
| 8    | <p><b>Any Other Business</b></p> <p>None.</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 25<sup>th</sup> September 2017.</p>   |           |

Signed \_\_\_\_\_  
**Petra Biberbach, Chair**