



PLANNING AND ACCESS COMMITTEE

MEETING: Monday 18th December 2017

SUBMITTED BY:	Director of Rural Development and Planning
APPLICATION NUMBER:	2017/0303/DET
APPLICANTS:	Loch Lomond & The Trossachs National Park
LOCATION:	The 3 Lochs Drive Campsite Aberfoyle
PROPOSAL:	Change of use of land to form campsite including erection of 2 toilet blocks, 2 storage buildings, formation of footpaths and associated parking

NATIONAL PARK WARD:	Ward 7 (Trossachs and Teith)
COMMUNITY COUNCIL AREA:	Trossachs Community Council
CASE OFFICER:	Name: Vivien Emery Tel: 01389 722619 E-mail: vivien.emery@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 The application site is located next to the shores of Loch Achray and comprises a low lying established camping area as well as areas of broadleaved and conifer woodland and a small parking area. It is proposed to formalise the existing site and also extend it to form a larger campsite (with 17 designated pitches) with associated toilet blocks, storage, footpaths and additional parking.
- 1.2 The determination of applications where a statutory consultee has objected and where the officer recommendation is to approve require to be subject of a report for consideration by the Planning and Access Committee in accordance with section 5.6 of the Authority's Scheme of Delegation relative to planning.

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 Achray is located approximately 1.5 kilometres south west of Brig O Turk and 5 kilometres north of Aberfoyle (see Location Plan in Figure 1 below). The site extends to approximately 1.7 hectares and comprises a small parking area on higher ground to the south, an area of generally flat ground next to the loch shore to the north of the site and an area of undulating land to the south east. The flat area to the north has until recently been operated as an informal “Youth” campsite by the Forestry Commission. The site is a combination of semi-natural broadleaved woodland with mixed and broadleaved plantations. A burn (Allt a’Cham-ruidhe) and a small stream runs through the site. The site is accessed via the Three Lochs Forest Drive (a publicly accessible road) and a number of footpaths currently run through the site. It is located within the Trossachs National Scenic Area. Loch Achray forms part of the River Teith Special Area of Conservation.

3.2 As described above part of the site includes an established camping area – this area is outlined in blue on the plan contained within Figure 2 of the report. Whilst there is no record of planning permission ever having been sought, it is understood that this area has been operated by the Forestry Commission as a Youth Campsite (i.e. for youth groups) for approximately 30 years (this pre-dates the National Park). The site has a total of 6 pitches which are available to book on line from March to end of October. There are currently no toilet or other facilities associated with the existing camping area.

3.3 **Environmental Impact Assessment (EIA)**

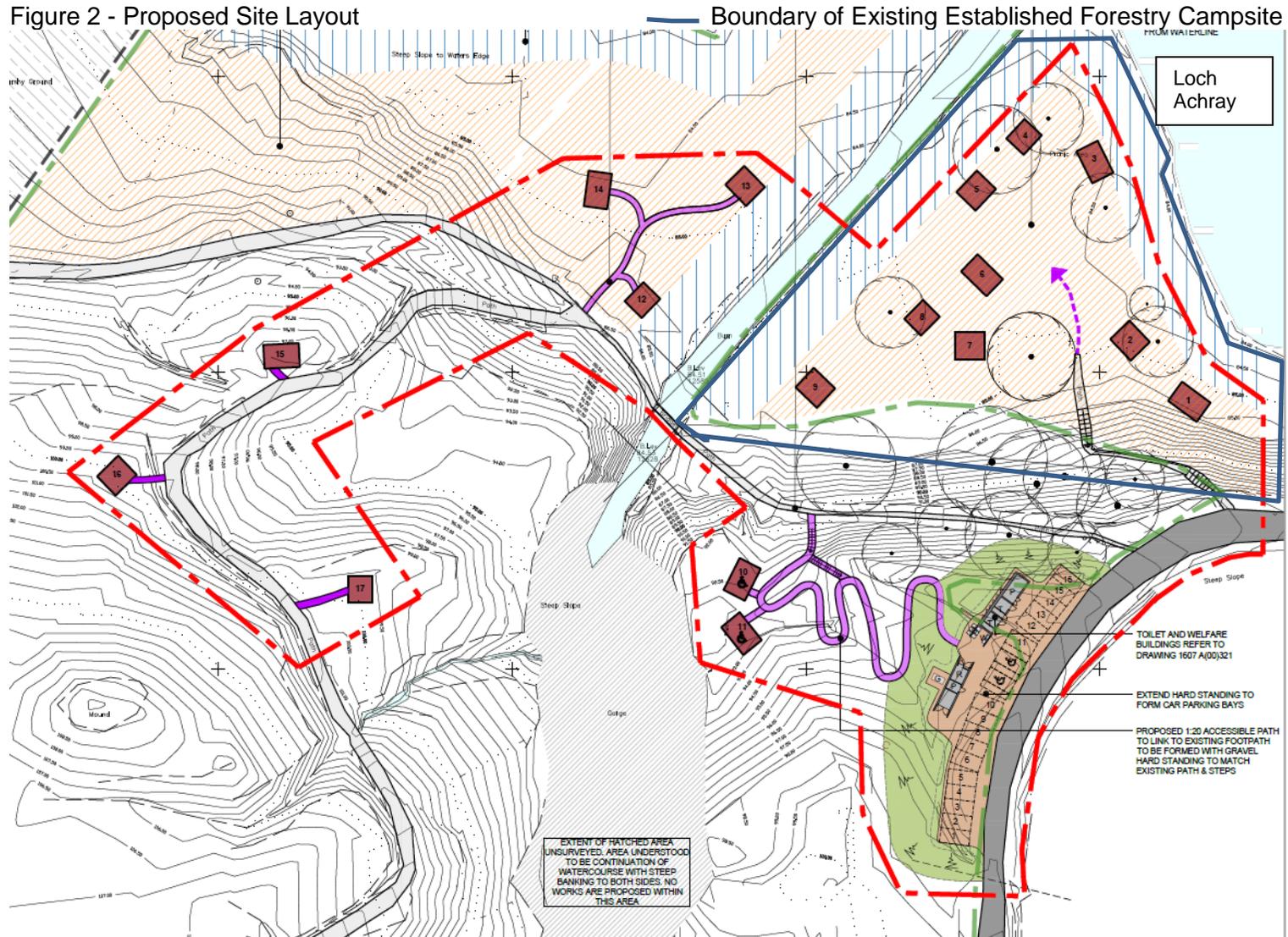
For the purposes of the Environmental Impact Assessment (Scotland) Regulations 1999 the National Park is identified as a ‘Sensitive Area’. As a ‘Competent Body’ the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required.

3.4 ***Description of Proposal***

It is proposed to formalise the existing campsite by providing designated pitches within the site as well as extending the site by providing a total of 17 camping pitches, an extended parking area (providing 18 car parking spaces) and erecting two new buildings that will incorporate toilets and ranger facilities (see Figure 2 for Proposed Site Plan). The site would be operational from 1 March to 30 September. 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. Photographs of the site can be seen in Photographs 1-4 below. It should be noted that during the consideration of the application a number of the proposed pitches were re-located following internal advice from the National Park’s Landscape and Ecology advisors. As a result three pitches on wetter ground to the west of the site have been removed and re-located on higher ground further south west.

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Figure 2 - Proposed Site Layout



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Photograph 1: Existing Parking Area and Forest Road (proposed site of extended car park and location of toilets/ranger base)



Photograph 2: Existing Camping Area (9 pitches proposed in this location)

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Photograph 3: Woodland Adjacent to west of watercourse (3 pitches proposed here)



Photograph 4: Typical Character of Pitches on higher ground to west of the Site (3 pitches proposed here)

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3.5 **Background to Your Park**

The proposal forms part of the Loch Lomond and the Trossachs National Park “Your Park” programme. These plans (comprising four management zones which affect 3.7% of the National Park) include:

- The provision of at least 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 came 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;
- 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, new camping sites will be created across four management zones. Loch Chon, the first camping site under the “Your Park” programme, became operational in March this year.

4 **CONSULTATIONS AND REPRESENTATIONS**

Summary of Responses to Consultations

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

4.1 Stirling Council – Roads

No roads conditions recommended.

4.2 SEPA

Object in principle on the grounds of flood risk. SEPA has provided the following advice:

- It is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. The area within the flood extent is the northern campsite and along the Allt a’ Cham-ruidhe watercourse, which flows through the application site.
- SEPA note that there are areas within the site boundary which are developable and are shown to be approximately 10m above the shore of Loch Achray. We therefore object in principle until a reviewed site boundary shows the proposed development area is outwith the 1 in 1,000 year flood extent.
- Review of the Flood Risk and Hydrological Assessment (FRHA) shows that no hydraulic modelling has been conducted for the Allt a’ Cham-ruidhe watercourse. SEPA would expect to see hydraulic modelling that should include the footbridge upstream of the northern campsite to indicate the 1 in 1,000 year flood extent of the site, including blockage scenarios.
- It is argued by the applicant’s flood consultant that hydraulic modelling is not required as the only flood risk to the site is from Loch Achray, which would be a direct result of a release from Loch Katrine. SEPA require hydraulic modelling to be submitted to support this statement and to demonstrate that the proposed development is outwith the 1 in 1000 year flood extent.

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- An existing drainage ditch pathway to the Allt a Cham-ruidhe will be retained and formalised. SEPA request further information and clarification on “formalised”
- With regards to the foul drainage arrangements being proposed for the site SEPA acknowledge that a secondary treatment plant is to be installed with the resultant effluent being discharged to a watercourse. In the first instance SEPA would generally encourage the applicant to investigate if the ground conditions are suitable for a discharge to a soakaway arrangement, however they do recognise that a discharge of treated sewage effluent to the water environment is potentially consentable under the CAR licensing regime, if the ground conditions are unsuitable for a soakaway.

4.3 Stirling Council – Flood Prevention - No comments at time of writing report.

4.4 Strathard Community Council – No comments at time of writing report

4.5 Trossachs Community Council – No comments at time of writing report

4.6 STC Environmental Health (Stirling)

No objection

- If the site is to include units falling under the definition of the Caravan sites and Control of Development act 1960, then a caravan park site licence will be required.
- The Local authority must also be contacted for advice and guidance if a Private Water supply is to be established.

4.7 Scottish Natural Heritage Stirling

No objection

River Teith SAC

In our view, it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required. This is assuming that SEPA's pollution prevention guidelines, as referenced in the supporting documents, will be adhered to during construction and operation.

Blackwater Marshes SSSI

As with the SAC, if pollution prevention guidelines are kept to, there should be no impact on Blackwater Marshes SSSI.

4.8 ***Summary of Representations Received***

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

4.9 At the date of the preparation of this report, 2 individual representations of objection had been received. A summary of the main issues/concerns from these representations (and planning response) is outlined below.

- In favour of developing more campsites in the National Park and also welcome the fact that at Loch Achray the LLTNPA is proposing to allow people to camp by the shore but object to a number of aspects of the development.

Response: Noted

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- The creation of fixed pitches destroys the camping experience. People should be allowed to camp where they want. Creating raised artificial pitches on rubber matting will destroy the character of this area and the quality of the camping experience. Rubber matting is totally unnecessary on the east side of the burn where there is a fine grassy area perfect for camping.

Response: *The applicant has advised that the purpose of providing fixed pitches is to provide a flat dry area that will enhance the experience of campers using the site. It is considered that as result of the location and size of the pitches and proposed light-touch construction methods (see Paragraph 7.4) the overall visitor experience for users of the site shall be positive.*

- The failure to provide any places for campervans in the parking area and the failure to include a chemical disposal point for campervans at the toilet block.

Response: *The proposal relates to the provision of camping pitches only. The planning authority can only give consideration to what is included within the planning application.*

- The planning authority should require further information before agreeing proposals for camping pitches on the west side of the burn (including low lying boggy area and unlevel areas).

Response: *Details of pitch construction have been provided. A condition requiring the submission of a Construction Method Statement is recommended. This will require the applicant to submit further details of micro-siting and specific details of pitch construction.*

- It should be clarified what period of time these facilities will be open each year. Given the promotion of Forest Drive by the National Park the facilities should be open all year.

Response: *For this particular proposal no planning implications arise from the time period in which the site will be open and opening times is a matter for the applicant. The applicant has advised it intends to operate the site from 1st March to 30th September each year.*

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.

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- 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 Development Plan (Adopted 2016)

Relevant Policies:

Overarching Policy 2: Development Requirements

Visitor Experience Policy 1: Location and scale of new development.

Natural Environment Policy 1: National Park Landscapes, Seascape and Visual Impact

Natural Environment Policy 2: European Sites

Natural Environment Policy 3: SSSI's

Natural Environment Policy 4: Protected Species

Natural Environment Policy 6: Enhancing Biodiversity

Natural Environment Policy 8: Development Impact on Trees

Natural Environment Policy 11: Protecting the Water Environment

Natural Environment Policy 12: Surface Water and Waste Water Management

Natural Environment Policy 13: Flood Risk

Full details of the policies can be viewed at:

<http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/>

5.4 Supplementary Guidance

Sustainable Design Supplementary Planning Guidance (adopted Dec 2011)

Approved Planning Guidance - Visitor Experience (November 2017)

Draft Supplementary Guidance - Design & Placemaking (May 2015)

Other Material Considerations:

5.5 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 no 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

5.6 Scottish Planning Policy (2014)

Scottish Planning Policy states that planning can play an important part in reducing the vulnerability of existing and future development to flooding and that the planning system should promote:

- a precautionary approach to flood risk from all sources, including coastal, water

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course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;

- flood avoidance: by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas.

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, design, landscaping and materials of proposed buildings. The main points from the applicant, in support of their layout and design are:

- The main emphasis for the design is to minimise impact on the natural environment whilst providing camping facilities;
- Significant mature trees will be retained and compensatory planting provided;
- Secondary paths (only provided where required) and camping pitches will have natural edges to meet the existing surrounding vegetation;
- At the parking area topsoil shall be carefully removed, stored and re-used.

6.2 Ecological Appraisal

An Ecological Appraisal was prepared by a consultant on behalf of the applicant. The report makes a number of recommendations with regard to ecology and protected species including:

- Pollution prevention guidelines must be adhered to on site;
- The area of wet woodland within the site falls under the UKBAP priority habitat of wet woodland and the Annex I habitat of bog woodland. These habitats should therefore be retained and opportunities for enhancement and expansion of these habitats should be considered;
- As there are bat boxes and mature trees on site that may hold potential for roosting bats, further survey of these features is recommended. Trees with potential for roosting bats will need either ground, or where applicable aerial, inspections on all features of bat roosting potential if works are to occur on or within 30m of the tree.
- Further pre-construction survey for otter, badger, breeding birds, red-squirrels and otter should be undertaken.

6.3 Tree Survey

A Tree Survey and Preliminary Bat Roost Assessment were prepared by a consultant on behalf of the applicant. The site is characterised by deciduous and coniferous trees. The surveys concluded the following:

- An Arboricultural Method Statement (AMS) should be provided;
- A Tree Protection Plan (TPP) should be prepared to protect the retained trees on site.
- All tree work should be carried out to the standards defined in the *British Standard 3998: 2010*.
- No trees with potential bat roosting features are directly affected by the design

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proposals. Prior to any development works taking place further assessments must be provided in the form of ground/aerial potential bat roosting inspections.

6.4 Mammal Survey

- The mammal survey states that an otter couch was found under a fallen tree on the bank of Loch Achray. It was located approximately 100m west from the development boundary and therefore it will not be disturbed by the proposed works. If any works are to come within 30m of the otter resting place, a Habitats Regulations licence from Scottish Natural Heritage (SNH) will be required to permit disturbance.

6.5 Guidance for Environmental Method Statement

This document sets out guidance to the contractor for preparation of their Environmental Method Statement for the proposed works. It states that an Environmental Method Statement will be produced prior to the commencement of works and will cover the following matters:

- Tool Box Talks
- Storage of Materials
- Pollution Prevention Safeguards
- Landscape Mitigation and Restoration Techniques
- Protected Species and Habitat Mitigation
- Turf Management
- Key Intervention Points

6.6 Archaeological Walk Over Survey

A walk over survey of the site was undertaken. The report concludes that there is low potential for archaeology of the prehistoric to medieval period to survive within the proposed development site.

6.7 Flood Risk Assessment

A Flood Risk Assessment was carried out by a consultant on behalf of the applicant. This reports states that:

- The flow regime in Loch Achray is heavily influenced by the operation of the Loch Katrine reservoir dam based on water supply requirements and contributing inflow. The principal fluvial flood risk is attributed to the Northern Camping Pitch Area from Loch Achray and limited to the 'low lying' terrain. It is considered that this floodplain extent is overestimated as the limitations of SEPAs Strategic Flood Map do not account for upstream reservoir storage / attenuation and artificial influence on flow patterns – i.e. the floodplain extent shown assumes 'natural' unrestricted flow conditions.
- The Allt a' Cham-ruidhe floodplain extents are limited to the watercourse embankments due to the incised nature of the watercourse and thus out of bank flow into the adjacent Camping Pitch Areas is not predicted. Although fluvial flooding from the Allt a' Cham-ruidhe across the Northern Camping Pitch Area is not envisaged it is recommended that an appropriate offset distance (buffer) for camping pitches to the edge of the watercourse is applied e.g. 6-10m.
- The development proposals in this part of the site would have a neutral impact on potential floodplain storage / conveyance.
- Appropriate mitigation in the form of health and safety, access and egress and flood evacuation considerations are required. Safe access and egress routes

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should be identified by the applicant for the Northern Camping Pitch Area and appropriate signage installed conveying these details to potential users.

- The single span footbridge would pose no significant blockage risk as it provides significant clearance with no hydraulic restrictions.

6.8 The applicant also submitted a response to SEPA's objection including a Management and Risk Strategy. These are summarised as follows:

Response to SEPA's objection

- Seasonal Camping has taken place within the Northern Camp Site Location for some 30 years and they understand there is no record of persons or property being affected by flooding. With the implementation of the proposed Flood Risk Management Strategy this would provide betterment in terms of flood risk to current users of the site where there is currently no flood risk management/early warning system in place.
- The proposed campsite will only be open from March until September and not during the wetter autumn and winter months. Controlled discharges from Loch Katrine is the main flood risk contributor to rising water levels in Loch Achray and Scottish Water has confirmed that significant discharges from Loch Katrine during the April-October period are very infrequent.
- Photographs from the recent flood event in early October demonstrates that despite an approximate 1m level rise in Loch Achray the Allt a Cham-Ruidhe watercourse did not spill out of bank and contribute to flooding over the Northern Camp Site.
- The plans have been updated and no new or extended culvert is now being proposed.

Summary of Flood Risk Management Strategy

- Water level gauges would be installed on the Loch Achray foreshore and upstream of the site on the Allt a Cham-Ruidhe watercourse with "trigger" levels determined that will configure an alarm remotely to site operatives. With regards to loch levels, Scottish Water would then be contacted to determine water discharges and a decision made on whether to close the campsite. With regard to the watercourse, if the trigger level is reached the Northern campsite will be closed.
- Monitoring of live Achray water data provided by SEPA and additional monitoring of the Met office forecast will be carried out on site. The applicant is also in the process of formalising a notification agreement for information to be made available from Scottish Water prior to any irregular release of waters from Loch Katrine.
- An evacuation plan will be produced and implemented if a flood event occurred.
- The site will be managed from 10am – 6.30pm and the LLTNPA Ranger Service is operated from 8.30am to 9pm April to September. There is also the facility to implement a 24 hour on-call facility with appropriate authorities to deal with out of hours emergencies.
- Information will be presented to campers that will clearly outline emergency procedures on the site. Signage at the entrance and within the camping area will highlight the risks and the strategies employed to minimise the risk.

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

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adopted Local Development Plan (and associated guidance) and the Park Partnership Plan.

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

The report will now address these key issues in turn.

Principle of Development

Adopted Local Development Plan (LDP)

- 7.2 Within the Development Strategy Map contained within the LDP, the site is located within an area identified as having small scale tourism potential. Visitor Experience Policy 1 also gives support to small scale tourism development where it would help deliver a strategy or action identified in the National Park Partnership Plan (see Paragraph 7.3 below). Furthermore part (d) of this policy also supports the improvement and expansion of existing tourism facilities. LDP Policy VE1 is supplemented by the accompanying Visitor Experience Planning Guidance. This guidance has been amended to reflect comments received during consultation on an earlier draft version and was approved, subject to some further minor amendments, at the November meeting of the Authorities Planning and Access Committee. The approved planning guidance indicates that campsite proposals will be assessed on the number of pitches and size/type of pitches/accommodation and the facilities provided including toilets and parking. In assessing the scale of the proposed development at Loch Achray, consideration must therefore be given to the number of camping pitches as well as the type and nature of the development. A total of 17 camping pitches are proposed within the 1.7 hectare site and overall density of the site would be low. Development associated within the campsite i.e. the toilets, ranger storage and car park, would also be small scale relative to the size of the site. Within the camping areas and adjoining woodland, construction methods would be low impact (this is discussed in paragraph 7.4 below). Overall the physical character of the site will not significantly change and given the number of pitches and the “light-touch” nature of the development, the camping proposal is considered to be small-scale and comply with Policy VE1 of the LDP and the Visitor Experience Draft Guidance.

Park Partnership Plan

- 7.3 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 within an area with a high number of visitors and would comply with the provisions of the National Park Partnership Plan.

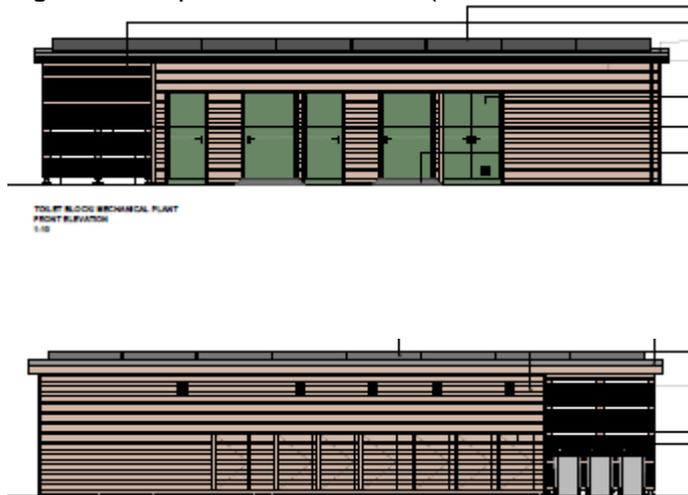
Implications of Site Layout and Design on Landscape

- 7.4 The existing small parking area within the site will be extended to provide 18 spaces

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Two small modular buildings (a toilet/plant building and a store/ranger base) will be sited next to the parking area. Existing paths will be upgraded and some sections of new footpaths constructed. A total of 17 camping pitches would be formed. The pitches would be well spaced out over the 1.7 hectare site, resulting in a low density development. The majority of pitches (9 in total) would be located within the flatter northern area of the site where campers would enjoy a loch shore experience. Of the other pitches, two would be suitable for wheelchair access and would be located on higher ground to the west of the car park. The other pitches would be located to the west of an existing burn, either within woodland or on higher open ground to the south east. Pitches and paths will be formed using low impact construction methods. The pitches will be formed by removing topsoil and forming a flat area, covering it in sand and then installing a rubber grass matt (which will allow vegetation to grow through). Each pitch will have a small bund to prevent egress of compacted sand. New paths will be formed in hardcore and finished in bark or pea gravel. The area where the new car park and buildings will be located is to be levelled which will involve the construction of a buried gabion retaining wall. The car park will be constructed in geo-grid with gravel infill. The modular buildings are small scale and will be clad externally in timber. Their design/finish is considered to be appropriate at this location (an elevation of the proposed timber clad toilet block can be seen in Figure 3 below).

Figure 3: Proposed Toilet Block (front and rear elevations)



Additional landscaping is proposed and, in the long term, this will positively contribute to the landscape setting of the development. The new buildings will principally be visible from the existing 3 Lochs Drive Forest Road and given the topography of the site and existing woodland character, views of tents will be very localised. Given the small scale nature of the development and proposed construction methods, coupled with existing trees and site topography, the landscape and visual impact of the proposal will be localised and the development will sensitively integrate into the surrounding landscape. Overall the proposal is considered to comply with Natural Environment Policy 1 of the Adopted Local Development Plan.

Implications of Site Layout and Design on Trees and Ecology

- 7.5 The majority of trees within the site will be retained however some limited tree removal will be required to accommodate the car park and buildings (See Photograph 1). A number of significant mature trees are located within the vicinity of these works and micro-siting and appropriate construction methods will be necessary to ensure that these trees are protected. The National Park Tree Adviser has no objection to the proposals but has recommended conditions relating to retention of trees, a tree

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protection plan and compensatory planting. Overall impact on trees will be minimal and the proposal would comply with Natural Environment Policy 8 of the Local Development Plan.

- 7.6 Loch Achray forms part of the River Teith Special Area of Conservation (qualifying interests are salmon and lamprey) however Scottish Natural Heritage has advised that it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. A Habitat and Regulations Appraisal carried out by the Planning Authority also concluded that the proposal is unlikely to have a significant effect on the SAC (either alone or in combination with other plans and projects) and an Appropriate Assessment of the implications for the site's conservation objectives was not required. The National Park ecological adviser has recommended conditions relating to an otter protection plan (an otter couch was found 100 metres west of the development) and provided this condition is in place, the proposal will avoid impacts on protected species and habitats and will therefore be consistent with Natural Environment Policies 2 and 4 of the Local Development Plan.

Flood Risk

- 7.7 A detailed summary of SEPA's comments and the applicant's supporting information relating to flooding are outlined in paragraphs 4.2 and 6.7/6.8 respectively. SEPA have objected in principle to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy as part of the site may be at medium to high risk of flooding. The area within the potential flood extent is the northern campsite and along the Allt a' Cham-ruidhe watercourse, which flows through the application site. Under the provisions of SEPA's "Land Use Vulnerability Guidance" campsites come under "Most Vulnerable Uses". Therefore the development should be located outwith the 1 in 1000 year flood event. In response to this point the applicant's consultant has stated that SEPA's flood maps do not account for upstream reservoir storage at Loch Katrine and the impact that water discharges by Scottish Water have on the flow patterns in Loch Achray. In addition they state that the northern area has been formally used for camping with minimal management from the Forestry Commission for over 30 years. They indicate that the proposal is to provide designated pitches and provide a managed site within an established camping site and that there is no additional risk associated with flooding than already occurs and that with the implementation of their proposed Management and Risk Strategy the existing risk to users of the site will be reduced.

SEPA has also indicated that they would expect to see hydraulic modelling of the watercourse that runs through the site. In response to this the applicant's consultant has stated that the watercourse is very steeply banked and incised and that the risk of the watercourse spilling "out of bank" at any other areas other than the footbridge location is extremely unlikely. Flooding would only occur either during the limited occasions where the Loch Achray water level rises due to Scottish Water releasing flows from Loch Katrine or during extreme weather conditions. Under the management strategy, the campsite would be closed under both these conditions.

In consideration of SEPA's objection, planning policy/advice and the applicant's supporting information it is important that the following issues are taken into account:

1. The history of the site and objective of the application;
2. The nature of the flooding;
3. The applicants Management and Risk Strategy;

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History of Site and the Objective of Application

Part of the site at Loch Achray (see Figure 2) has a long history of informal camping and has been operated as a “Youth Campsite” by the Forestry Commission for approximately 30 years. This pre-dates the National Park, however, there is no record of planning permission ever having been sought. Camping currently takes place on an informal basis, and it is now proposed to extend and formalise the existing campsite by providing designated pitches and new parking and toilet facilities. Pitches 1-9 would be located within the established site which is located within an area of flood risk. Pitches 12-14 are located within an extended area of the existing campsite and are also within the area of flood risk. The other proposed pitches are located on higher ground outwith the flood risk area. The Forestry Commission has indicated that over the last 5 years they have not had any serious issues with flooding in the site during the summer season of March to October. The objective of the proposal is to provide a managed campsite within an area that experiences high visitor pressures within the summer months. Managing camping within the site is considered by the applicant as a priority in achieving the aims of Your Park (see paragraph 3.4) which aims to improve the experience of the busiest lochshores within the Park. A large part of the site that is subject to flood risk has been used for camping for many years and through managing the site the applicant will now be in a position to implement appropriate mitigation with regard to flood risk. This is outlined in more detail below. It should be noted that notwithstanding the outcome of this application “un-managed” camping is likely to continue within the existing camping area.

The nature of the flooding

Similar to many camping and caravan sites within the National Park, the site is located adjacent to the loch shore. SEPA has indicated that the area within the flood extent is the northern campsite and along the watercourse that runs through the application site. The nature of the flooding from both of these sources is considered below:

Allt a Cham-Ruidhe watercourse: The banks of this watercourse are deeply incised and during a recent flood that occurred at the beginning of the October the watercourse did not spill out of bank. Such flooding events are considered to be rare in the months (April to October) when the campsite is open and if they do occur, with the implementation of the applicants Management and Risk Strategy(see below) it would be likely that the campsite was closed in these circumstances. With regard to the existing footbridge, a condition is recommended requiring the applicant to submit details of a programme of bridge checking and clearance.

Loch Achray: Flooding at Loch Achray is partly influenced by the release of water by Scottish Water from Loch Katrine. It is acknowledged that flooding may occur when the Loch Achray water level rises due to Scottish Water releasing significant flow from Loch Katrine or during extreme weather conditions. The applicants Flood Risk Management Plan (see more detail below) details mitigation that would ensure that camping would be unlikely to take place in either of these circumstances. In addition, the Plan outlines evacuation measures should a flooding incident occur.

SEPA has indicated that no hydraulic or technical evidence has been provided to support the applicant’s view that the only flood risk to the site is from Loch Achray. Further evidence may clarify the exact extent of flooding within the site, however it will not change the fact that the site is located within an area of flood risk. The applicant has acknowledged that the site is at risk of flooding and has therefore prepared a Management and Risk Strategy that outlines a number of mitigation measures to reduce the risk to users of the site. Given the proposed implementation of the Strategy, along with the fact that camping within the northern area of the site has been

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established for many years, in this particular instance, it is not considered reasonable or necessary to request that further evidence regarding flood risk be provided.

The applicant's Management and Risk Strategy

It is known that the site does flood (a recent flood event occurred at the beginning of October 2017) and in this regard the applicant has prepared a Management and Risk Strategy that outlines a number of measures that are proposed in relation to site management. The proposed measures are summarised within Paragraph 6.8 and include monitoring water levels, monitoring of site (live SEPA data and data received from Scottish Water regarding any irregular water releases) and weather conditions and information provision (advice on flood risk and evacuation procedures given to all camping users and displayed within signage on the site). If there is deemed to be significant flood risk then the site will be either closed or evacuated by the on-site manager or the LLTNPA Ranger Service. It is considered that the implementation of the applicant's management and risk strategy would reduce the probability of users of the site experiencing a significant flood risk. The implementation of the measures outlined within the Strategy would not, and are not intended to, remove the risk to users of the site. However, users of the site would be well informed of the risk to enable them to take reasonable precautions to protect themselves from those risks. Furthermore, in the event of a significant risk, appropriate procedures would in place to close and or evacuate the site.

Natural Environment Policy 13 states that development will not be supported, unless it is demonstrated that the proposed development complies with the Flood Risk Framework as defined in Scottish Planning Policy or subsequent national planning guidance and flood risk management plans/strategies. Given that part of the site to be used for camping is at medium to high risk of flooding, the proposal would not comply with this Policy. Notwithstanding this, significant weight has to be given to the fact that this is an established camping site and that a number of management measures shall be put in place that will reduce the risk to existing users of the site. If this proposal was not to go ahead then camping within the site would continue with no such mitigation in place. It is also important to note that no buildings will be erected within the area that is at risk of flooding.

7.8 **Other Environmental Matters**

Water and Drainage

It is proposed that the toilets will be served by a new sewage treatment plant and potable water supply. Post consent details of these systems will need to be submitted to and agreed with SEPA and Stirling Council Environmental Health respectively.

8 CONCLUSION

- 8.1 In conclusion, it is considered that 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 Local Development 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 landscape and ecology natural environment policies of the Local Development Plan as well as assist in achieving the first statutory aim of the Park to conserve and enhance the natural heritage. Given that the site is at risk of flooding, the proposal is not consistent with Scottish Planning Policy or Natural

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Environment Policy 13. However, given the small scale nature of the proposal, and the fact that the majority of the site at highest risk of flooding is already an established camping area, the proposal is considered to be a minor departure from these policies. Furthermore it is considered that the applicants Management and Risk Statement provides adequate mitigation to ensure that either camping will not take place on lower pitches at times of flood risk and/or campers can evacuate safely from the site. This will improve the current situation in relation to the existing area of camping where no such management or mitigation is in place. The proposal complies with the overall Development Strategy of the LDP which aims to support small scale tourism development within certain parts of the Park and improve the experience on some of the Parks busiest lochshores. Many visitors to the Park wish to enjoy a loch shore camping experience and ultimately, the proposal will result in a positive recreation experience for campers whilst also ensuring that appropriate mitigation is in place with regard to Flooding.

Additionally, other material considerations have been taken into account, such as the responses from the contributors. These matters 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 development plan policies. A number of modifications have been incorporated into the proposal during the process of considering the application and the recommended planning conditions (as proposed and set out in Appendix 1 to this report) also seek to address concerns and ensure a high quality development will be delivered.

- 8.2 In conclusion, the proposal is generally in accordance with the Local 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).

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

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as '2017/0303/DET'*

List of Appendices: *Appendix 1 Conditions and Informatives*

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Appendix 1: Conditions and Informatives

1. Agreement of Materials and Specifications: Prior to its application to the modular buildings, details of the colour/treatment/finish of the proposed timber cladding, doors and PV panels 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. Camping Pitch Detail: Prior to their formation, final details of each camp pitch location, size, shape and orientation and details of pitch bunding, drainage and surfacing shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter each pitch shall be formed in accordance with the approved details.

REASON: To ensure that the external appearance of the development complements the rural character of the area and to ensure the landscape capacity of the site is not exceeded.

3. 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 including details of turf management- this should take the form of turf management plan (with confirmation that this will be overseen by the Landscape Clerk of Works)
- c) Landscape mitigation and restoration techniques (including detailed drawings) relating to access road and footpaths.
- d) Details of surface materials for all new paths and edgings.
- e) Protected species mitigation for Red Squirrel and badger.
- f) Protected species mitigation for Bats.
- g) An Arboricultural Method Statement which shall include details of all proposed working methods and 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.

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

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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.

5. Otter: Prior to commencement of the development hereby approved an otter protection plan shall be submitted to and approved in writing by the Local Planning Authority (for the avoidance of doubt this should include a walk-over survey undertaken by an ecologist).

REASON: Otters are a European Protected Species and developers must take reasonable steps to establish if any otter couches/holts are likely to be disturbed by the development.

6. Invasive Species: For the avoidance of doubt the management of Rhododendron within the site shall be undertaken in accordance with the Rhododendron Management Plan submitted on 16 November 2017.

REASON: In the interests of enhancing the biodiversity of the site having regard to the provisions of Natural Environment Policy 6 of the Local Development Plan 2016.

7. 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 8. below is followed during construction and to minimise landscape and visual intrusion from the development.

8. Scope of works to be carried out by the Landscape Clerk of Works: Prior to appointing the LCoW in accordance with Condition 7. 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. Car park area, 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.

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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.

9. 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. The species choice, design and layout shall be tailored to reflect the existing vegetation and soil types. If seed mix is proposed details of this shall be approved in writing by the Planning Authority. Details of the proposed future management of the tree planting 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.

10. Protection of Existing Trees/Tree Protection Plan: For the avoidance of doubt all trees to be felled within the site shall be first agreed with the Planning Authority (and shown on a plan) prior to the commencement of development. For the avoidance of doubt trees 42-50 (as referred to within the Tree Survey & Arboricultural Constraints Report dated 30 March 2017) shall be retained. 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. The measures contained in the approved protection plan 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

11. Risk Management Strategy: At all times the camping site shall be operated and managed in accordance with the details outlined within the applications Risk Management Statement dated November 2017.

REASON: To ensure that site operators and users of the site are aware of the potential flood risk and to ensure that the risk to users of the site is reduced.

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. Culvert Inspection: Prior to the commencement of development a plan for the inspection of the culverts associated with the streams running through the site shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall include a programme of culvert checking and clearance.

REASON: To reduce the risk of the culverts blocking and therefore for water overtopping the trunk road and running into the application site.

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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.

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. If you are unable to find the advice you need for a specific regulatory matter, please contact a 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.