

National Park Authority Planning & Access Committee Meeting



Approved Minutes of Meeting held on 28th January 2019, 14:00
John Muir Suite, Carrochan, Carrochan Road, Balloch

Present: Ellen Morton – Chair
Bob Darracott (BD) – Depute Chair
Graham Lambie (GL)
Billy Ronald (BR)
David McCowan (DMcC)
Willie Nisbet (WN)
Diane Docherty (DD)
Martin Earl (ME)
Ronnie Erskine (RE)
Christopher Spray (CS)
Claire Chapman (CC)

In Attendance: Park Authority Staff
Stuart Mearns, Director of Rural Development and Planning (SM)
Bob Cook, Development & Implementation Manager (BC)
Simon Franks, Trees and Woodland Adviser (SF)
Sharon McIntyre, Committee Officer (SMcl) – Clerk

Alastair McKie, Legal Clerk, Anderson Strathern LLP (AM)

Apologies: Murray Lyle (ML)

Item	Title / Discussion	Action by
1	<p>Welcome and Apologies</p> <p>The Chair welcomed those present to the meeting and noted it was her first meeting as Chair following recent appointment to the role.</p> <p>The Chair then welcomed BD as the recently appointed Depute Chair. The Chair also welcomed Ronnie Erskine, Christopher Spray and Claire Chapman to their first meeting.</p> <p>SMcl confirmed that apologies had been received from ML.</p>	
2	<p>Declarations of Interest</p> <p>None.</p>	
3	<p>Draft minute of meeting held on 26th November 2018</p> <p>The minute was proposed for approval by BD and seconded by WN. The minute was therefore approved by the Committee.</p>	
4	<p>Draft matters arising</p> <p>ME confirmed receipt of the requested information and Members noted the</p>	

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	action as closed.	
5	<p>Tree Preservation Order Recommendations – TPO Review - 2018/0011/TPO – variation – Donich View, Lochgoilhead</p> <p>Consideration of Item</p> <p>Woodland Adviser (SF) presented the report and advised that one representation had been received. SF then put forward the recommendation of the Director of Rural Development and Planning, to:</p> <p>a) Note that Loch Lomond & The Trossachs National Park Authority (Land To The North Of Donich View, Lochgoilhead, Argyll) Tree Preservation Order (No. 11(2005)) confirmed on 24th April 2006 (the “Original Order”) was varied on 17th August 2018 by the Loch Lomond and The Trossachs National Park Authority (Tree Preservation Order Number 11 of 2018 (the Variation Order)) with approval of the Chair of the Planning & Access Committee (Reference: 2018/0011/TPO)</p> <p>b) Confirm the Variation Order without further modification.</p> <p>Members asked questions of officers and discussion took place regarding the proposed recommendations.</p> <p>Members sought clarification on how the total score of 24 was reached in section 8.4 of the report:</p> <p>8.4 On the above basis the woodland scored 24 with a score greater than 21 indicating a TPO is definitely merited. The total score is based on 8 (out of 10) for condition, 10 (out of 10) for naturalness (although not listed in the Ancient Woodland Inventory the woodland is recorded on the 1866 OS 1st edition map and is thus of sufficient age to be considered an ancient woodland); and 2 (out of 10) for size. The expediency rating was 1 (out of 5).</p> <p>SF and SM referred to the original Woodland Evaluation Method for Preservation Orders guidance document and advised that section 8.4 should have included reference to 2 as a cultural factor and that the expediency rating should also be detailed as 2 (out of 10) to give a total score of 24.</p> <p>Following this clarification, the Chair asked for a proposer for the motion of the officer’s recommendation to:</p> <p>a) Note that Loch Lomond & The Trossachs National Park Authority (Land To The North Of Donich View, Lochgoilhead, Argyll) Tree Preservation</p>	

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	<p>Order (No. 11(2005)) confirmed on 24th April 2006 (the "Original Order") was varied on 17th August 2018 by the Loch Lomond and The Trossachs National Park Authority (Tree Preservation Order Number 11 of 2018 (the Variation Order)) with approval of the Chair of the Planning & Access Committee (Reference: 2018/0011/TPO)</p> <p>b) Confirm the Variation Order without further modification.</p> <p>MOTION: The motion was proposed by DD and seconded by BR.</p> <p>DECISION: As no competent amendment was tabled, the above motion became the decision of the Committee.</p>	
6	<p>Confidential: Enforcement update</p> <p>BC advised members that this agenda item will be brought to the next meeting of the Planning & Access Committee therefore it was not discussed at the meeting.</p>	
7	<p>Planning (Scotland) Bill – verbal update</p> <p>SM provided a verbal update on the current status of the Planning (Scotland) Bill in the parliamentary process. SM advised Members that it was an action from the 10th December 2018 Board meeting that "Board Members delegated authority to the Planning & Access Committee to provide comment formally on the Planning (Scotland) Bill".</p> <p>SM advised Members that there is no formal process as a non-departmental public body to comment and that our position is reflected in that of Local Authorities, the Royal Town Planning Institute, the Law Society, the Heads of Planning and Convention of Scottish Local Authorities.</p> <p>SM informed members that Petra Biberbach, the previous Chair of the Park Authority Planning & Access Committee sat on the Independent Panel which was established by Scottish Ministers to review the planning system. Petra Biberbach and the Head of Planning and Communities at the Cairngorms National Park Authority also gave evidence to Local Government and Communities Committee as the lead Committee for the Bill.</p> <p>DECISION: Members of the Planning & Access Committee were satisfied that the views of the Park Authority as a Planning Authority had been provided at the relevant stages of consultation on the Planning (Scotland) Bill.</p>	

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8	<p>Any Other Business</p> <p>BC informed Members that an Enforcement Notice and Stop Notice were issued on the 14th December 2018 for the Land at Former Highland Way Hotel, Balmaha in accordance with the Scheme of Delegation Relevant to Planning.</p> <p>SM informed Members that Stirling Council will be commencing elections for Buchanan, Drymen, Strathyre and Killin Community Councils. ME advised that this is scheduled for the end of February 2019.</p> <p>ME requested that the Park Authority assist in communicating that elections will be taking place. SM confirmed that this assistance will be provided.</p>	
9	<p>Date of Next Meeting</p> <p>The next meeting of the Planning & Access Committee will take place on 25th February 2019.</p>	

Signed _____
Ellen Morton, Chair