

National Park Authority

Planning & Access Committee Meeting



Draft Minutes of Meeting held on 25th May 2020, 13:30hrs
Lifesize Webcast

Present: Bob Darracott (BD) – Chair
Claire Chapman (CC) – Vice Chair
Willie Nisbet (WN)
Diane Docherty (DD)
Martin Earl (ME)
Ronnie Erskine (RE)
Christopher Spray (CS)
Billy Ronald (BR)
Graham Lambie (GL)
Murray Lyle (ML) - part

In Attendance: Park Authority Staff
Stuart Mearns, Director of Rural Development and Planning (SM)
Bob Cook, Development Management Manager (Delivery) (BC)
Alison Williamson, Development Management Planner (AW)
Caroline Strugnell, Development Management Planner (CStr)
Fiona Stewart, Natural Heritage Planning Advisor (FS)
Sharon McIntyre, Committee Officer (SMcl)

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

Speakers: Agenda Item 4:
Graeme Fletcher (GF) - Western (Clyde) Limited Technical Director
available for questions only
Gordon Ross (GR) - Western (Clyde) Limited Managing Director
available for questions only
Magdalena Wachowska (MW) - Arch Henderson LLP Senior Engineer
available for questions only
Alan Norman (AN)
David Heft (DH)

Agenda Item 5:
David Hunt (DHu) - Senior Conservation Officer - Loch Lomond, The
Trossachs & Tayside, RSPB
Robert Coleman (RC) Area Manager - Loch Lomond, The Trossachs &
Tayside, RSPB - *available for questions only*
Sheila Cronin (SC)
Peter Page (PP)

Apologies: Ellen Morton (EM)
David McCowan (DMcC) – *Due to technical difficulties*

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Item	Title / Discussion	Action by
1	<p>Welcome and Apologies</p> <p>The Chair welcomed attendees to this virtual meeting of the Planning & Access Committee and advised that he would be chairing the meeting in the absence of EM.</p> <p>The Chair advised that the meeting was able to take place in this format as a result of:</p> <ul style="list-style-type: none"> - Board Standing Order 25 which allows for meetings in exceptional circumstances (with agreement of the Convener) to be held as a virtual meeting; - The Board in a decision by correspondence agreed that the provisions of Standing Order 25 will apply for the duration of the social distancing restrictions and that Board and Committee meetings will be held virtually during this time. - The Coronavirus (Scotland) Act 2020 denotes that public are to be excluded from a meeting of a local authority whenever it is likely that, if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus. As our offices are closed at this time as a result of the Coronavirus pandemic, we hope that by providing a live webcast of this meeting allows for the public to view proceedings as they would normally without a risk to health. <p>The Chair welcomed any members of the public viewing the virtual meeting and advised Members of housekeeping points required to hold a meeting in this format.</p> <p>The Chair invited all of the virtual meeting participants to introduce themselves.</p> <p>SMCl advised that apologies had been received from EM.</p>	
2	<p>Declarations of Interest</p> <p>CS advised that although he has a registerable interest as a member of the RSPB this does not translate into having a declarable interest with regard to the consideration of agenda item 5.</p> <p>AM confirmed with CS that he had no involvement in this application as a member of RSPB and is therefore be able to participate in agenda item 5.</p>	
3	<p>Draft minute of meeting held on 27th April 2020</p> <p>The minute was proposed for approval by CS and seconded by CC.</p>	

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	<p>For clarity, the Chair then took a roll call of the decision and confirmed his position. All members were in agreement to approve the minute.</p> <p>DECISION: As no competent amendment was tabled, the minute was therefore approved by the Committee.</p>	
4	<p>2018/0247/DET and 2018/0248/LBC - Construction of overnight berth and crew access, and installation of fenders and bollards</p> <p>Consideration of Item</p> <p>Planning Officer (AW) presented the planning application and listed building consent application noting that it is considered that these applications should be determined by the Planning and Access Committee in accordance with the scheme of delegation given the level of representation received. 26 representations were received in total, 20 made to the planning application and 6 to the listed building consent application, all in objection. Kilmun Community Council made comments neither in support or objection to these applications. A further 2 late representations were also received following publication of the report, both from individuals who had already made representations and no new points were raised.</p> <p>AW put forward the recommendation of the Director of Rural Development and Planning, to approve both the planning and listed building consent applications subject to the conditions set out in Appendix 1 of the report.</p> <p>The Chair advised Members that FS, Natural Heritage Planning Advisor at the Park Authority, was available for questions should Members have any in relation to Landscape and Ecology.</p> <p>The Chair also advised that although the applicant is not speaking the following representatives are available should Members have any questions:</p> <ul style="list-style-type: none"> - Mr Graeme Fletcher - Western (Clyde) Limited Technical Director, - Mr Gordon Ross - Western (Clyde) Limited Managing Director, - Mrs Magdalena Wachowska - Arch Henderson LLP Senior Engineer. <p>Members asked questions of officers and of Western (Clyde) Limited representatives. Discussion took place regarding the visual impact, the photomontages provided and the use and structure of the pier.</p> <p>The Chair advised that as there are two applications being considered, Alan Norman will speak in objection of application 2018/0247/DET and 2018/0248/LBC on behalf of himself. David Heft will speak in objection of application 2018/0247/DET on behalf of himself.</p>	

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SPEAKER: Mr Alan Norman who was speaking on behalf of himself was then invited to address the Committee. He did so in objection to 2018/0247/DET and 2018/0248/LBC.

Members asked questions of Mr Alan Norman and officers. Discussion took place regarding the applications including the views of the local community and visual impact.

SPEAKER: Mr David Heft who was speaking on behalf of himself was then invited to address the Committee. He did so in objection of the application 2018/0247/DET.

Members asked questions of Mr David Heft and officers. Discussion took place regarding the application.

ML left the meeting.

The Chair advised that each of these decisions would be taken in turn.

Firstly, the Chair requested a proposer and seconder to approve 2018/0247/DET subject to the conditions set out in Appendix 1 of the report.

MOTION: BR, seconded by DD proposed to approve 2018/0247/DET subject to the conditions set out in Appendix 1 of the report.

For clarity, the Chair then took a roll call of the decision and confirmed his position. All members were in agreement with the motion of the officer's recommendation.

DECISION: As no competent amendment was tabled, the above motion became the decision of the Committee

Secondly, the Chair requested a proposer and seconder to approve 2018/0248/LBC subject to the conditions set out in Appendix 1 of the report.

MOTION: RE, seconded by WN proposed to approve 2018/0248/LBC subject to the conditions set out in Appendix 1 of the report.

For clarity, the Chair then took a roll call of the decision and confirmed his position. All members were in agreement with the motion of the officer's recommendation.

DECISION: As no competent amendment was tabled, the above motion became the decision of the Committee

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	<p><i>A short comfort break was taken prior to the commencement of the next agenda item.</i></p>	
5	<p>2019/0358/DET - Construction of footpath/boardwalk with planting, seating, interpretation focal points (including a shelter), pedestrian gates and associated works</p> <p>Consideration of Item Planning Officer (CSte) presented the planning application noting that it is considered that this application should be determined by the Planning and Access Committee in accordance with the scheme of delegation because the development in the opinion of the Appointed Officer, has been the subject of a significant level of valid objection.</p> <p>CSte put forward the recommendation of the Director of Rural Development and Planning, to approve the application subject to the imposition of the conditions set out in Appendix 1 of the report.</p> <p>The Chair advised Members that FS, Natural Heritage Planning Advisor at the Park Authority, was available for questions should Members have any in relation to Landscape and Ecology.</p> <p>Members asked questions of officers and discussion took place regarding the application.</p> <p>SPEAKER: Mr David Hunt who was speaking on behalf of himself as the applicant was then invited to address the Committee. He did so in support to 2019/0358/DET.</p> <p>The Chair advised Members, Robert Coleman, Area Manager for the RSPB was also available for questions.</p> <p>SPEAKER: Ms Sheila Cronin who was speaking on behalf of herself was then invited to address the Committee. She did so in objection of the application 2019/0358/DET.</p> <p>Members asked questions of Ms Sheila Cronin and officers. Discussion took place regarding the application including possible effects of the pandemic on the proposed application and public transport links to the application site.</p> <p>SPEAKER: Mr Peter Page who was speaking on behalf of himself was then invited to address the Committee. He did so in objection of the application 2019/0358/DET.</p>	

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<p>Members asked questions of Mr Peter Page and officers. Discussion took place regarding the requirement for an Ecological Clerk of Works, the requirement for a Section 75 agreement and Condition 9.</p> <p>Following discussion regarding monitoring and mitigation, ME suggested an amendment to Condition 14 to remove the text 'on request'. Condition 14 would therefore read:</p> <p>14. Programme of Monitoring: A programme of ongoing monitoring (and mitigation as required) shall be undertaken in accord with the details set out in the submitted Ecological Assessment (received 19 December 2019). The results of the monitoring and mitigation shall be made available to the Planning Authority.</p> <p>AM put the amendment to the motion to the committee: To approve the application subject to the imposition of the conditions set out in Appendix 1 of the report. Inclusive of the removal of the text 'on request' from Condition 14.</p> <p>The amendment to the motion was proposed by CS and seconded by RE.</p> <p>WN proposed a further amendment to hold a site visit prior to the determination of the application to allow for the consideration of the wider environmental impact. DD seconded this amendment.</p> <p>AM advised that Members would now vote on the second amendment against the first amendment. For clarity a roll call vote was taken with the Chair also confirming his position.</p> <p><u>Voting</u></p> <p>For the second amendment: To hold a site visit prior to the determination of the application to allow for the consideration of the wider environmental impact. Proposed by WN and seconded by DD.</p> <p>2 votes were received.</p> <p>For the first amendment: To approve the application subject to the imposition of the conditions set out in Appendix 1 of the report. Inclusive of the removal of the text 'on request' from Condition 14. Proposed by CS and seconded by RE.</p> <p>7 votes were received.</p> <p>DECISION: The first amendment became the decision of the Committee. This was to approve the application subject to the imposition of the</p>	
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	conditions set out in Appendix 1 of the report. Inclusive of the removal of the text 'on request' from Condition 14. WN and DD requested for their abstention to be noted on the minute.	
6	Any Other Business None	
7	Date of Next Meeting The date of next meeting of the Planning & Access Committee is Monday 22 nd June 2020. <i>Afternote: This meeting was cancelled as no committee business was required.</i>	

Signed _____
Bob Darracott, Chair