

National Park Authority Planning & Access Committee Meeting

Draft Minutes of Meeting held on 23rd November 2020, 13:30hrs
Lifesize Webcast



Present: Bob Darracott (BD) – Chair
Claire Chapman (CC) – Vice Chair
Willie Nisbet (WN)
Christopher Spray (CS)
Billy Ronald (BR)
Graham Lambie (GL)
David McCowan (DMcC)
Murray Lyle (ML)
Ronnie Erskine (RE)

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

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

Speakers: Agenda Item 5:
Sir Tom Hunter, Applicant (TH)
Gavin MacLellan – audio only, on behalf of Kilmarnock Community Council (GM)
Peter Page, Objector (PP)

Available for questions only:
Tony Kettle, Design Principal, Kettle Collective (Architect) (TK)
Khairul Khalifah, Associate, Kettle Collective (Architect) (KK)
Shona Millar, Assistant Director, Estates Services, The University of Strathclyde (SM)

Apologies: Diane Docherty (DD)
Martin Earl (ME)

Item	Title / Discussion	Action by
1	Welcome and Apologies The Chair welcomed attendees to this virtual meeting of the Planning & Access Committee and thanked members for his appointment to Chair of the Planning & Access Committee at the Monday 14 th September 2020 Board meeting.	

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	<p>The Chair expressed his condolences of the recent passing of Ellen Morton and advised Members that time will be taken at the next Board meeting to remember Ellen, and recognise the contribution that she made during her time as a National Park Authority Board member and as Chair of the Planning & Access Committee.</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 agreed at the 14th September 2020 Board meeting that the provisions of Standing Order 25 continue to apply, and Board, Committee, and Local Review Body meetings will continue to held virtually, until government restrictions on physical distancing are lifted such that in person meetings can be held safely. - 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 DD and ME.</p>	
2	<p>Declarations of Interest</p> <p>WN advised of his involvement in the community as the Locally Elected Member of the National Park Authority Board representing Ward 4 – East Loch Lomond and Port of Menteith with regard to agenda item 5.</p> <p>AM confirmed with WN that this does not translate into having a declarable interest with regard to the consideration of agenda item 5 and WN was accordingly entitled to participate in the consideration of that item.</p>	

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3	<p>Draft minute of meeting held on 31st August 2020</p> <p>The minute was proposed for approval by CS and seconded by CC.</p> <p>For clarity, the Chair then took a roll call of the decision and confirmed his position. RE advised that as he was not present at the last meeting he would withhold from approving the minute. All other members present 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>Draft matters arising</p> <p>Members noted that there was one matter arising from the previous meeting which has been noted as closed.</p>	
5	<p>2020/0055/DET - Land Adjacent To Ross Priory, Gartocharn</p> <p>Consideration of Item</p> <p>Planning Officer (CS) 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 given the development, in the opinion of the Appointed Officer, has been the subject of a significant level of valid objection; and the Community Council has formally objected on valid planning grounds and the recommendation is to approve.</p> <p>CS advised of the following points in the report to note:</p> <ul style="list-style-type: none"> - Paragraph 5.14: There is a summary of representations received from organisations, this list should also have included the Friends of Loch Lomond and the Trossachs who wrote in support. - Paragraph 8.4: There is a typo here, the second sentence details 'It is reasonable to consider the intent of the Policies along with the Vision and Development Strategy in the assessment <u>of</u> the policies do not provide clarity.' This should read 'It is reasonable to consider the intent of the Policies along with the Vision and Development Strategy in the assessment <u>of</u> the policies <u>where</u> the policies do not provide clarity'. - Heads of Terms at Appendix 2: Item one the 'y' is missing from the word bothy so that should read 'with priority given to the stables, bothy and pigsty ruins'. <p>CS noted that there were a total of 49 representations received with 43 in objection and 3 in support and 3 making comments neither in support nor objection.</p>	

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<p>CS advised that following publication of the report, a further 25 representations in objection from individuals were received. Two of these individuals had made previous representations. None of the representations raised any new matters in relation to the planning application. A letter was also received from the Architectural Heritage Society of Scotland which raised queries neither in support nor objection, with the exception of the proposed form and finish of the accommodation buildings which they did not support.</p> <p>CS 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 and the completion of a S75 Legal Agreement addressing the Heads of Terms summarised at Appendix 2.</p> <p>The Chair advised FS, Natural Heritage Planning Advisor at the Park Authority, was available for questions, should Members have any in relation to Landscape and Ecology. No questions were asked of FS at this stage.</p> <p>Members then discussed the application which included discussion on the consultation period for the application, flood risk, the proposed use of the development by the University of Strathclyde, foul drainage and native tree planting.</p> <p>SPEAKER: Sir Tom Hunter speaking as the applicant was then invited to address the Committee. He did so in support of 2020/0055/DET.</p> <p>Members asked questions of Sir Tom Hunter and officers. Discussion took place regarding the proposed application and the use of the development.</p> <p>The Chair advised the applicant's architects and a representative from the University of Strathclyde were available for questions. No questions were asked at this stage</p> <p>SPEAKER: Mr Gavin MacLellan who was speaking on behalf of Kilmaronock Community Council was then invited to address the Committee. He did so in objection to 2020/0055/DET.</p> <p>Members asked questions of Mr Gavin MacLellan and officers. Discussion took place regarding the proposed application and the requirement for an Environmental Impact Assessment, compliance with the Climate Change Act and National Park Authority and Planning policy.</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 2020/0055/DET.</p>	
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	<p>Members asked questions of Mr Peter Page, officers and the applicant's representatives TK, KK and SM. Discussion took place regarding the proposed application, the use of the development and it was noted that the EIA screening concluded that the proposed development would not likely give rise to significant environmental effects and therefore an EIA was not required for this application.</p> <p>Following discussion the Chair requested a proposer and seconder for the Officer's recommendation.</p> <p>MOTION: BR, seconded by GL proposed to approve the application subject to the imposition of the conditions set out in Appendix 1 of the report and the completion of a S75 Legal Agreement addressing the Heads of Terms summarised at Appendix 2.</p> <p>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.</p> <p>DECISION: As no competent amendment was tabled, the motion became the decision of the Committee.</p>	
6	<p>Any Other Business</p> <p>SM provided an update on the items of informal and formal business for the Planning & Access Committee in December.</p>	
7	<p>Date of Next Meeting</p> <p>The date of next meeting of the Planning & Access Committee is Monday 14th December 2020.</p>	

Signed _____
Bob Darracott, Chair