



Planning and Access Committee

Meeting: 28th June 2021

Agenda item: 4

SUBMITTED BY: Director of Place

APPLICATION NUMBER:	2020/0321/DET
APPLICANT:	Loch Lomond Boatyard Rowardennan Ltd.
LOCATION:	Rowardennan Hotel, Rowardennan
PROPOSAL:	Extension to boat storage area, upgrade of existing slipway and jetty and siting of two storage containers (retrospective) and extension to boat workshop to form office, shop and changing facilities (north bay); Formation of new boat storage area, screen fencing and erection of staff hut (retrospective) (south bay).
NATIONAL PARK WARD:	Ward 4 - East Loch Lomond and Port of Menteith
COMMUNITY COUNCIL AREA	Buchanan
CASE OFFICER:	Name: Vivien Emery Tel: 01389 722619 E-mail: vivien.emery@lochlomond-trossachs.org

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1. Summary and reason for presentation

1.1. The application sites are located at the Rowardennan Hotel and relate to

- extension to boat storage area, upgrade of existing slipway and jetty and siting of two storage containers (north bay - retrospective);
- an extension to boat workshop to form office, shop and changing facilities (north bay); and
- formation of new boat storage area, screen fencing and erection of staff hut (south bay - retrospective).

1.2. The retrospective parts of the proposal were the subject of a complaint that was received last year. Following an investigation into the works carried out this application was submitted for consideration.

1.3. In accordance with section 5.7 of the National Park Authority’s Scheme of Delegation, this application must be determined by the Planning and Access Committee as the application is the subject of a significant level of valid objection.

2. Recommendation

2.1. That Members: **Approve the application subject to the imposition of conditions as set out in Appendix 1 of the report.**

3. Background

Site Description

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| 3.1. | The application site is located on the east side of Loch Lomond and comprises the Rowardennan Hotel and associated chalet park. The site is located within the National Scenic Area. The application relates to two separate sites within the grounds of the hotel and chalet park. These are referred to as the north bay and south bay and are outlined in red on the location/site plan in Figure 1. below. An Aerial view of the site is contained within Figure 2. |
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Site Description

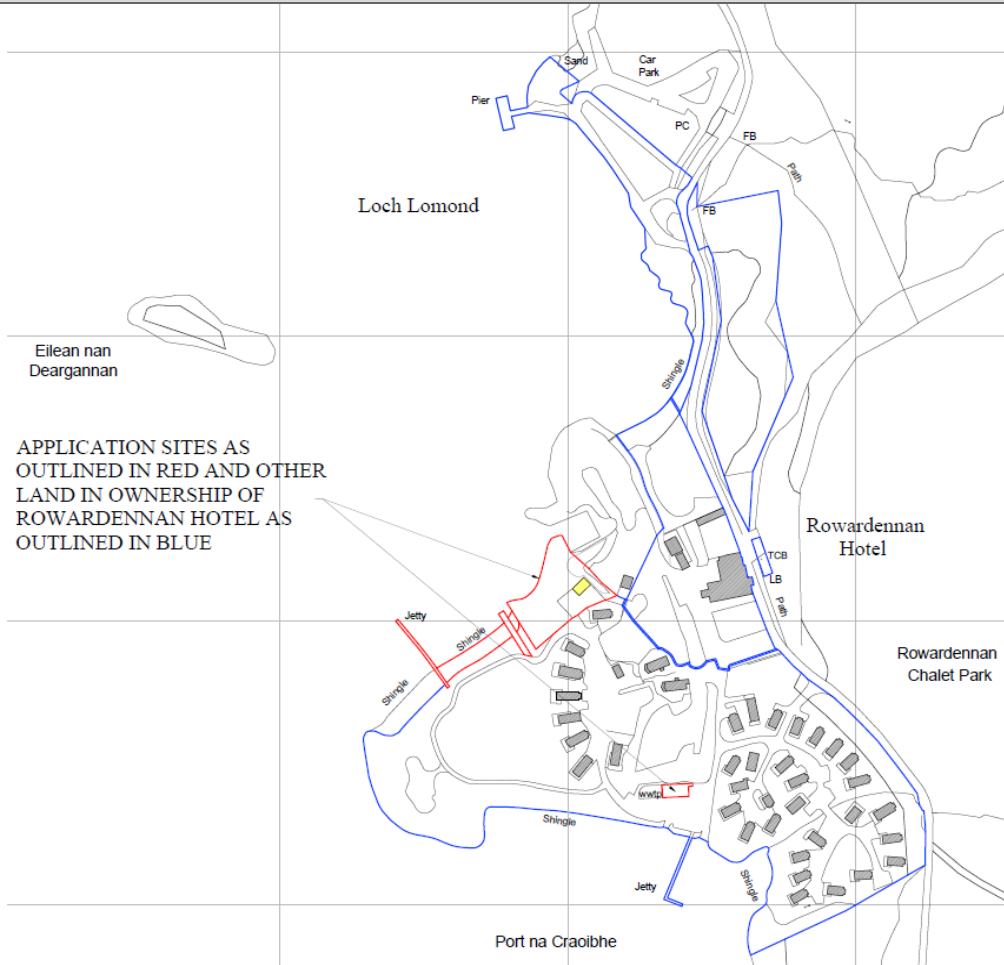


Figure1: LocationPlan / Site Plan

Site Description

3.2.



Figure 2: Aerial view

3.3.

The north bay comprises an area of hardstanding and dilapidated storage building next to the loch shore. Part of the hardstanding has historically been used for boat storage and a workshop. To the east of the hardstanding is a slipway and jetty. Photographs of the site are outlined below.

Site Description



Photograph 1: Hardstanding



Photograph 2: Workshop Building



Photograph 3: Slipway



Photograph 4: Jetty

3.4.

The south bay comprises an area of shoreline, an internal access road and an existing fenced waste water treatment works. The application site relating to the south bay comprises a fenced compound (erected last year) next to an existing fenced waste water treatment plant. Photographs of this part of the site can be seen below.



Photograph 5: Storage compound

Site Description



Photograph 6: Hardstanding to South of Storage Compound

Planning History

- 3.5. There are a number of moorings on the loch shore near the site and boat storage has historically taken place in a number of locations within the chalet site. Moorings, boat storage and launching were previously managed and operated by the hotel however they have recently leased the application sites to a new operator, Loch Lomond Boatyard(LLB). LLB also own Loch Lomond Leisure a boat and water recreation operator which operates from both Luss and another site at Rowardennan (from the beach area to the north of the hotel). They are both operated as separate companies.
- 3.6. There is a long history of development proposals both within the site and on other land owned by the Rowardennan Hotel. Those relevant to this application are:
- 2016/0055/DET: Conversion of outbuilding to form a watersports / outdoor activities office and store and erection of storage compound. Approved 2016.
- 2015/0321/DET: Installation of 3No. pontoon jetties and change of use of land for operation of water sports activities incorporating siting of 6No. swing moorings. Approved 2015.
- Note the above two applications relate to land to the north of the hotel and do not form part of the red line application site for this proposal.*
- 2015/0250/DET: Erection of 5 Lodges. Approved 2015. This included the approval of a chalet to replace the existing workshop building which is the subject of this application under consideration within the north bay.
- 2012/0227/DET: Temporary change of use of land for operation of wakeboarding business and temporary siting of LPG Tanks. Approved 2012. This application relates to the site at the north bay (the wakeboarding no longer operates from the site and LPG tanks have been removed).

Planning History

3.7. It should be noted that the western section of the north bay previously comprised a larger area of wooded loch shore fringe, however in the early 1990's the previous owner of the hotel removed a number of trees and extended the area of hardstanding.

3.8. Detailed planning permission for the erection of 36 chalets, on the former Rowardennan Caravan Park, was approved by Stirling Council in April 1991. This planning permission was subject to a number of conditions and also to the prior conclusion of a Legal Agreement (then known as a Section 50 Agreement).

The purpose of the agreement (which was recorded on 29 April 1991) was to manage the transition of the site from a static caravan park to a chalet park and included the following Clauses:

1. All use of the development subjects for siting of caravans shall cease no later than a date 5 years after the date of recording of this Agreement;
2. In respect that there will be a transitional period during which both the caravans and chalets will be sited on the development subject, at no time during such period shall the total number of caravans and chalets together exceed 36;
3. The portion of the development subjects shown coloured blue on the said plan shall at no time be used for storage of boats or other equipment or materials relating to the business of the second party or their successors;

With regards to Clause 3, a small section of the application site within the north bay falls within the area coloured blue where there is to be no storage of boats or materials. This area is outlined in red in Figure 3 below and the boundary of the north bay site is outlined in black. It can be seen that there is an overlap between the two areas within the south west corner of the north bay site. The implications of this on the current planning application are summarised in Paragraph 8.3.

Planning History



Figure 3: Area covered by Section 50 agreement

4. Environmental impact and habitat regulations assessment

Environmental Impact Assessment (EIA)

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| 4.1. | 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. |
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Description of Proposal

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| 4.2. | <p>The development proposed relates to works at both the north and south bay. Some aspects of the development are retrospective and the proposal is summarised as follows:</p> <ul style="list-style-type: none">• an extension to boat workshop to form office, shop and changing facilities (north bay);• extension to boat storage area, upgrade of existing slipway and jetty and siting of two storage containers (north bay - retrospective); and• formation of new boat storage area, screen fencing and erection of staff hut (south bay - retrospective) |
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| 4.3. | <p><u>North Bay</u></p> <p>At the north bay, works to extend the existing boat storage area were undertaken last year. The recent works involved the laying of stone chipping on an area of existing hardstanding. Photographs of the boat storage area from 2012-2020 are outlined below. Whilst the laying of the stone chippings themselves would not constitute development, the area to be used for the storage of boats is now larger and permission for this use is necessary. Also carried out retrospectively is the upgrading of an existing slipway by the laying of concrete (see Photograph 3 above) and the siting of two steel storage containers to the rear of the existing boat store.</p> |
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Photograph 5: North Bay 2012

Description of Proposal



Photograph 6: North Bay 2015



Photograph 7: North Bay 2020

- 4.4. It is also proposed to extend the existing workshop building (see Photograph 2) to form an office, shop and changing facilities. This will involve two modest side extensions which would be timber clad and have a metal roof (see Figure 4 below) The main existing building would be used for boat maintenance with the extensions used for the office, shop and toilet/changing room. It is intended that the shop will offer items to users of the site and be associated with boats and water recreation (such as wet suits and life jackets).

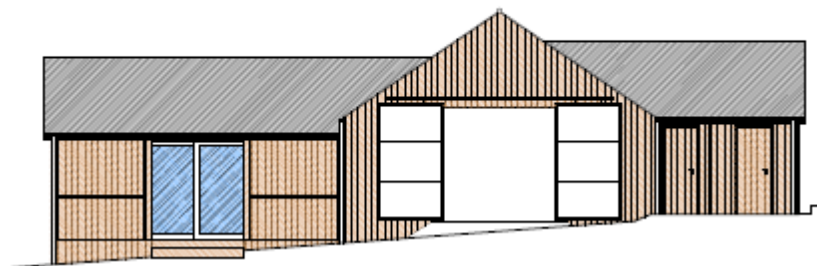


Figure 4: Proposed Front Elevation of Boat Store

Description of Proposal

4.5. An existing metal jetty (see Photograph 4) to the west of the boat storage area will be upgraded by renewing some of the metal grid decking and fixings.

4.6. South Bay
At the south bay a new boat storage area has been formed by erecting a fenced compound. The compound is an extension of an existing fenced area that screens the waste water treatment works that serves the wider site. Next to the compound a small staff hut has been erected. Plans and photographs of the site before and after development are outlined below.



Photograph 8: South Bay 2012



Photograph 9: South Bay 2020

5. Consultations and representations

Responses to Consultations

5.1. Stirling Council Roads
Whilst the extension to the boat workshop is intended to offer new services, it is not anticipated that this will generate a significant number of vehicle trips that will have an impact on the public road. The current use has an associated parking requirement that is already facilitated on site. The applicant should

Responses to Consultations

	provide an additional minimum of 2no. car parking spaces and 2no. cycle parking spaces within the curtilage of the site at the north bay.
5.2.	<u>Stirling Council Environmental Health</u> No objections, subject to conditions regarding contaminated land and asbestos.

Representations Received

5.3.	A total of twenty nine representations have been received, twenty objecting to the proposal and eight in support and one neither supporting or objecting.
5.4.	<p>The grounds of objection are summarised below:</p> <ul style="list-style-type: none"> • Connection to existing waste water treatment works – this is paid for by the lodge owners and the hotel and permission to connect will be necessary; • Inadequate parking and visitor parking was not managed last year; • Poor standard of road from Balmaha to Rowardennan. Additional traffic will exacerbate existing traffic issues; • Lack of neighbour notification; • An increase in traffic on the internal access road within the chalet park will have an adverse impact upon the privacy and amenity of the lodges and is a safety issue; • Last year there was some anti-social behaviour from users of the boat yard and speeding of boats; • Day launching of boats and jet skis last year caused disruption to lodge owners; • The application contravenes an existing legal agreement; • Works should not be carried out retrospectively; • The boat storage building has an asbestos roof and this should be properly dealt with; • The titles of the lodges allows no commercial activity. There should be no commercial activity within the site; • The proposal would alter the nature and character of what is a private chalet park. <p>The full content of the consultation responses and representations are available to view on the National Park Authority's Public Access website (http://www.lochlomond-trossachs.org/planning/ click on view applications, accept the terms and conditions then enter the search criteria as '2020/0321/DET').</p>
5.5.	<p>The grounds of support are summarised below:</p> <ul style="list-style-type: none"> • The changes will enhance aspects of the site that have been in disrepair for many years; • The proposal will result in an improvement to existing facilities;

Representations Received

	<ul style="list-style-type: none">• The proposals will provide needed toilet and changing facilities for those using the loch;• The development will improve the visitor experience at Rowardennan.
5.6.	The grounds of objection and support are considered within the planning assessment section of this report, section 7.

6. Policy context

The Development Plan

6.1.	<p><u>National Park Local Development Plan (2017 - 2021):</u></p> <p>Overarching Policy 1: Strategic Principles Overarching Policy 2: Development Requirements Visitor Experience Policy 1: Location and Scale of New Development Visitor Experience Policy 2: Delivering a World Class Visitor Experience Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options Transport Policy 3: Impact Assessment and Design Standards of New Development Natural Environment Policy 1: National Park Landscapes, Seascapes and Visual Impact Natural Environment Policy 4: Legally Protected Species Natural Environment Policy 8: Development Impacts on Trees and Woodlands Natural Environment Policy 12: Surface Water and Waste Water Management</p> <p>Full details of the policies can be viewed at: http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/</p>
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Other Material Considerations

6.2.	<p><u>National Park Aims</u></p> <p>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:</p> <ul style="list-style-type: none">• to conserve and enhance the natural and cultural heritage of the area;• to promote sustainable use of the natural resources of the area;• to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; <p>and</p>
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Other Material Considerations

	<ul style="list-style-type: none"> to promote sustainable economic and social development of the area's communities. <p>Section 9 of the Act 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.</p>
6.3.	<p>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 the following policies are relevant:</p> <p>Con Policy 2: Natural Heritage Con Policy 3: Landscapes Con Policy 4: Water RD Policy 2: Spatial Development Strategy VE Policy 3: Recreation and Access <u>VE Policy 4: Water Recreation</u></p>

7. Summary of supporting information

Supporting Information

7.1.	<p>The application was accompanied by the following supporting papers as summarised:</p> <p>Supporting Statement which states that that the proposal relates to the upgrade and improvements of an existing small scale boat operation business. The site provides facilities for those boat owners that prefer the north of the Loch. Introducing a boat maintenance/repair facility will reduce the need for other road based boat transportation.</p> <p>Response to Objections received which includes the following statements from the applicant:</p> <ul style="list-style-type: none"> Parking has improved by providing dedicating parking; They operate a one car policy per customer who are issued with one key fob for the gated system; The boatyard and moorings have been operating for decades. LLB has taken over an existing business and operate tighter management practices; They do not offer day launching and are only open to members; The small shop will be for lodge owners and boat owners and are common within lodge parks; Loch Lomond Leisure have operated watersports at Rowardennan since 2016 and Loch Lomond Boatyard will provide moorings and yard storage only;
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Supporting Information

- The hotel has given them permission to connect to the waste water treatment works and they will contribute to its maintenance;
- They are not proposing an increase in jet ski storage;
- They do not have any more customers than the previous operator;
- The small staff hut is necessary to provide shelter and for safe management;
- Other loch users use the jetty and the shore and LLB cannot be responsible for their behaviour;
- Agree that speeding boats is unacceptable and any repeat offenders would not be allowed to continue to be a member of LLB;
- They have a strict anti-social behaviour policy.

8. Planning assessment

Key Issues

- 8.1. The proposal is to form two boat storage areas, upgrade of slipway and jetty, siting of two storage units and extension to boat workshop to form office, shop and changing facilities.
- The main determining issues with this application are as follows and will be considered in turn.
- Principle of Development
 - Legal Agreement
 - Amenity
 - Access and Car Parking
 - Natural Heritage
 - Design

Principle of Development

- 8.2. The principle of the proposal is assessed against Visitor Experience Policy 1(d) (VEP1d) of the Adopted Local Development Plan (2017-2021). Small scale development is supported by policy VEP1d where it involves the improvement or expansion of an existing tourism business, visitor infrastructure or facility. The site is located within the grounds of the Rowardennan Hotel which comprises a hotel and chalet park. The proposal would result in the improvement and small scale expansion of existing facilities on offer at the hotel (albeit now provided by a private operator) and would be supported in principle by Policy VEP1d.

Legal Agreement

8.3.	As outlined in Section 3 of the report, there is a Section 50 Agreement associated with the chalet park. This is associated with the original planning application to change the site from caravans to chalets. It includes a clause that excludes the storage of boats or other materials within part of the site. As can be seen in Figure 3, the exclusion area includes a small section of the north bay which is proposed for boat storage. It is understood that the purpose of this clause was to protect the landscape character and setting of the site, particularly the open grassed area to the west of the chalets and the loch shore fringe next the loch. Any boat storage within the area in question (as edged in red in Figure 3) would be contrary to the terms of the Section 50 Legal Agreement and therefore a condition preventing any storage of boats or other materials within the small area of the north bay that is covered by the legal agreement is recommended. If the site owner (the hotel) wishes to remove or amend this clause of the legal agreement then they can apply to the National Park to do so. In the determination of such a request the National Park would consider the purpose of the clause within the agreement and the impacts of any amendments.
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Amenity

8.4.	Rowardennan lodges is a private chalet park where the lodges are privately owned. A number of the lodges are owned and let out by the hotel and some other privately owned holiday lodges are sub-let for holiday accommodation. Moorings, boat storage and launching has taken place within the site for many years. Historically this has been operated and managed by the hotel but they often found this difficult to manage along with the operation of the hotel business. They have therefore leased the two sites that are the subject to this application to the applicant to operate and manage this part of the business.
8.5.	A number of the objections received have raised concerns regarding the impact of the proposals on the amenity of the existing chalet park. Particular concerns relate to additional traffic through the chalet site, an increase in the number of people within the site and the associated noise and activity. Some objectors have stated that last year visitor numbers increased and some anti-social behaviour was experienced on site.
8.6.	In support of the application the applicant has stated that he has taken over the management of the boat storage/moorings from the previous operator (the Rowardennan Hotel) and there will be no intensification of use. Their other business, Loch Lomond Leisure, will continue to operate from their base at the beach north of the hotel. They will be operating tighter management practices and will provide moorings and boat storage to members only. They have a strict anti-social behaviour policy. They recognise that there was an increase in visitors to the site last year but advise that many of these were other boat users and not their customers.
8.7.	The lodge site is located next to the Rowardennan Hotel and the public road that leads to the main car park at Rowardennan. The lodge park is used by private owners and visitors and whilst the lodge park itself is private, given its loch shore location, the adjacent loch shore beaches can be accessed by general boat users. Many of the lodge owners (and visitors renting the lodges) have boats and use the launching/storage facilities on offer. Activity (of vehicles

Amenity

	<p>and people) relating to boats is well established within the site. The proposals relate to the improvement and small scale expansion of existing uses within the site and it is not considered that they will alter the character of the area – which is already popular with visitors, particularly during the summer months and holiday periods. Although it is not possible to control who uses the site, it is noted that the applicant intends to provide his services to members only (no public boat launching will be available). With regards to the concerns about increase in traffic within the site, it is noted that a key fob is required to gain entry via the security gate. This controls vehicle access to the site to lodge owners/visitors and LLB members only and it is a security upgrade from last year when a pin code system resulted in some unauthorised vehicles accessing the site. The nature of the internal access road (gravel surface) means that generally traffic speeds are low. Concerns have also been raised about anti-social behaviour within the site. Both sites will be managed, from the staff hut at the south bay, and from the proposed office at the north bay. This increase in staff presence, may help control anti-social behaviour that has been experienced in the past. It is noted that members of LLB must agree to their terms and conditions which include a strict no antisocial behaviour policy</p>
8.8.	<p>With regards to impacts upon amenity, it is noted that boat storage, moorings and launches have been offered within the site for many years. The sites are located within a popular visitor area that is popular with visitors, walkers and boat users and where a higher level of activity already exists. Whilst improved facilities, such as the secure boat storage, upgrading of the slipway and jetty, and provision of toilet and changing facilities, may result in an increase in the number of members/customers to the site, given the limited size of the sites and limited offer of facilities, it is not considered that any significant intensification of use will occur nor cause an undue loss of amenity to existing lodge owners.</p>

Access and Parking

8.9.	<p>The Rowardennan Hotel, chalets and boatyard are accessed via the public road between Balmaha and Rowardennan. It is acknowledged that this road is substandard in places, however this proposal relates to the improvement of existing facilities within the site and is not expected to result in a material increase in traffic. Rowardennan is a popular area for visitors and does experience issues relating to visitor pressure, particularly in relation to car parking. However parking associated with the development proposal will be provided within the site and should not exacerbate this wider problem. The roads authority has raised no objection to the application.</p>
8.10.	<p>Dedicated parking is provided within the site. The Roads authority is of the view that two additional spaces (and cycling parking for two bikes) should be provided at the north bay (in association with the use and extension of the workshop building). The site is large enough to accommodate this and a condition is recommended in this regard.</p>

Natural Heritage

8.11.	The key issues for consideration relating to natural heritage are trees, landscape and ecology and each one is considered below in turn.
8.12.	Trees: The north bay has a wooded edge of mature trees along its southern boundary. Some small self-seeded trees and shrubs are located along the north and west boundary. To enhance the native tree cover, in order to increase woodland habitat connectivity, the Park Authority's Tree and Woodland Advisor recommends additional native planting along the southern and western edge. A condition is recommended in this regard.
8.13.	Landscape: At the north bay the main landscape considerations relate to the expansion of the boat storage, siting of storage containers and extension of the former boat workshop. The key view of the north bay site is from the loch. From here the site is viewed in the context of existing development within the wider site and against a backdrop of mature trees along the southern boundary. Some screening is also provided by small trees/shrubs along the north and west boundaries and this is becoming more established and providing screening of large parts of the site. Subject to conditions regarding landscaping and retention of trees/shrubs there will be no adverse impact on the wider landscape character. To the south bay the existing fenced compound has been extended to form a secure boat storage area. This is an extension of the fenced waste water treatment compound and raises no adverse landscape or visual impacts.
8.14.	Ecology: The proposed development is located approximately 175 metres west of the Loch Lomond Woods Special Area of Conservation (SAC). An SAC is also known as a European (Natura) Site and is covered by the requirements of the Habitats Regulations (The Conservation (Natural Habitats, &c.) Regulations 1994). The qualifying interests of this SAC are oak woodland and otter. The National Park Natural Heritage Advisor has stated that due to the close proximity of the Rowardennan Hotel and associated increased level of activity, and also the large areas of hardstanding throughout the development site do not offer suitable habitat for otters, there is therefore no "likely significant effect" on this qualifying species. When operations were carried out on the north bay last year a badger set was identified within the site. This set is located near the old metal jetty. Prior to any works taking place at this jetty – the application includes its refurbishment - a protected species survey for badgers must be undertaken and a condition is recommended in this regard.

Design

8.15.	It is proposed to erect two small side extensions to the former boat workshop within the north bay. The form and design of the extension will compliment the form of the existing building. The existing building and new extension will have timber cladding to the external walls and a metal sheeting to the roof. These finishes are acceptable and will enhance the appearance of the existing building - which is somewhat dilapidated.
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Other matters raised by contributors

8.16. Issues raised by those objecting to the application relating to amenity, access and car parking are addressed above. A number of other issues have been raised and these are summarised as follows:

Waste Water Treatment Works: The applicant will be leasing the site from the owner, the Rowardennan Hotel, who has given them permission to connect to the existing waste water treatment works. Regarding capacity, they will require to comply with SEPA requirements in this regard. The applicant has indicated that LLB will be making a contribution to the maintenance of the plant.

Neighbour Notification: Concerns were raised by some lodge owners that they were not notified of the proposals. Neighbour notification was carried out by the Planning Authority in accordance with statutory requirements. In addition the application was advertised within the local newspaper (Stirling Observer).

Concerns regarding retrospective nature of proposals: The National Park Authority became aware of works being undertaken within the site in the summer of last year. Some of these works related to repair and maintenance and general tidying of the site. However the extension of the boat storage area, siting of storage containers and surfacing of the slipway on the north bay, and the erection of a fenced boat compound on the south bay, were all undertaken without the benefit of planning permission. The applicant's agent advised that as the works related to an established use, and were of a minor nature, his client was not aware of the need for planning permission. The retrospective nature of the works are unfortunate and the applicant has addressed this through the submission of the application.

Asbestos Roof: Stirling Council, Environmental Health department has advised that it is possible that some asbestos will be present within the former boat workshop. They have recommended that all asbestos-containing materials should be identified and suitably removed and disposed of in accordance with statutory requirements and a condition is recommended in this regard.

Conclusion

8.17. The principle of the proposal is considered to comply with policy VEP1(d) of the National Park Local Development Plan as the development relates to the small scale improvement and expansion of an existing tourism business/visitor infrastructure. Given the modest scale of the development, and its location within an established tourism site where existing servicing infrastructure exists, it is not considered that it would have a material impact upon visitor pressures within the area. The key planning considerations are with respect to impact on neighbouring amenity, parking provision, landscape and design.

8.18. The impact on the amenity of neighbouring chalet properties has been raised as an issue by objectors. The proposals relate to improvements to an existing facility, however it is recognised that the improvements proposed and small scale expansion may result in an intensification of the existing use of the site. Notwithstanding this, given the location of the site within a popular visitor

Conclusion

	location, and the modest size of the boat storage areas and nature of the facilities on offer, it is not considered that the proposals will have an adverse impact upon the amenity of existing lodge owners. Boat storage and water related activities are well established within the site and the general locality and it is not considered that the character of the area will change.
8.19.	The Roads Authority has no objection or concerns relating to access and parking. The Council Environmental Health Service has recommended a number of conditions to ensure any issue relating to asbestos or contaminated land are appropriately addressed.
8.20.	The size and design of the boat workshop extensions are considered to be acceptable. There will be no visual impact on the landscape and final approval of landscaping, materials and detailing can be secured by planning condition to ensure a good quality of completed development.
8.21.	In conclusion, the proposal is in accordance with the Development Plan and the proposal is recommended for approval, subject to imposition of conditions (detailed in Appendix 1).

9. Background documents

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

Click on view applications, accept the terms and conditions then enter the search criteria as '2020/0231/DET'

10. Appendix 1 Conditions

Conditions

	<p>1. Agreement of Materials and Specifications: Prior to the commencement of development on site relating to the boat workshop extension and jetty upgrade, a further detailed specification, including colour, of the undernoted proposed external finishing materials to be utilised on the building, (including samples as indicated) shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter the specification and materials as may be approved in accordance with this condition shall be undertaken and used respectively in the completion of the project, prior to the proposed development being brought into use.</p> <p>a) The metal roof sheeting (sample required);</p> <p>b) All external wall finishes (sample required). If the timber is to be stained/painted details of the colour shall be submitted to and approved in writing by the Planning Authority prior to its application;</p> <p>c) All external finishes to be used in the upgrade of the jetty on the north bay.</p>
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REASON: To ensure that the external appearance of the development complements the character of the area and the appearance of the existing house 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. Landscaping:** Within 3 months of the date of this consent a scheme of landscaping for the site indicating proposals for new planting along the north and west boundaries of the north bay, specifying number, size and species of all trees and shrubs, shall be submitted to, and approved in writing by, the Planning Authority. All landscaping shall be carried out during the first planting season following approval of the landscaping scheme 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: The proposed development and its location is such that landscaping is necessary to enable it to fit in with its surroundings and to enhance the locality and the quality of the development for those using it and those affected by it.

- 3. Protected Species:** Prior to the commencement of the development relating to the upgrade of the jetty on the north bay a detailed survey for badger shall be undertaken and the results, together with a scheme of protection/mitigation measures, shall be submitted to, and approved in writing by, the Planning Authority. The scheme of measures shall be implemented in full accordance with a time-scale to be agreed in writing with the Planning Authority.

REASON: To safeguard protected species and nature conservation interests and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

- 4. Protection of Existing Trees:** No trees on the site of the development hereby permitted shall be topped, lopped or felled unless otherwise agreed in writing by the Planning Authority.

REASON: To prevent damage to trees in the interests of the visual amenity of the area

- 5. Boat Storage Exclusion Zone:** Unless otherwise agreed in writing by the Planning Authority, no boat storage or storage of other materials shall take place within the area hatched in red on the approved north bay site plan.

REASON: A Section 50 Legal Agreement associated with the site prevents any boat storage or storage of other materials within this part of the site.

- 6. Parking:** Prior to the use of the boat workshop/office/shop hereby approved two car parking spaces and facilities for the parking of two bikes shall be provided within the site.

REASON: In the interests of road safety and to accord with adopted local development plan Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options.

- 7. Renewable energy:** Prior to the commencement of development relating to the extension of the boat workshop details of proposed renewable energy technology to be incorporated into the development shall be submitted to and approved by the local planning authority. Thereafter the approved measures shall be implemented prior to the development being brought into use.

REASON: To accord with Policy OP2 requirements for climate friendly design.

- 8. Reporting Discovery of Contaminated Land:** The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority.

REASON: To ensure all contamination within the site is dealt with.

- 9. Asbestos:** All asbestos-containing materials should be identified and suitably removed and disposed of in accordance with the statutory requirements of Stirling Council, Environmental Health.

REASON: To ensure all asbestos within the site is dealt with.

Informatives

- 1. 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.
- 2. 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.
- 3. Protected species in vicinity** – Badgers 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.