



## Planning and Access Committee

Meeting: Monday 30<sup>th</sup> October 2023

Agenda item: 4

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**SUBMITTED BY:** Director of Place

<b>APPLICATION NUMBER:</b>	2023/0003/DET
<b>APPLICANT:</b>	Mr Jai Cowper Smith
<b>LOCATION:</b>	Carrick Farm, Carrick Castle, Cairndow, PA24 8AF
<b>PROPOSAL:</b>	Change of use of grazing field to campsite comprising formation of 12 no. campervan pitches; 15 no. tent pitches and parking spaces and conversion of existing barn to provide toilet, shower and waste disposal facilities.
<b>NATIONAL PARK WARD:</b>	Ward 1 - Cowal and North Loch Lomond
<b>COMMUNITY COUNCIL AREA</b>	Lochgoil
<b>CASE OFFICER:</b>	Name: Caroline Strugnell Tel: 01389 722148 E-mail: <a href="mailto:caroline.strugnell@lochlomond-trossachs.org">caroline.strugnell@lochlomond-trossachs.org</a>

***Paper for decision***

**1. Introduction**

- 1.1. This application is for the change of use of a grazing field to a campsite comprising 12 no. campervan pitches; 15 no. tent pitches with associated parking and waste disposal facilities and the (part) conversion of existing barn to provide toilets and showers.
- 1.2. This application requires to be determined by the Planning and Access Committee in accordance with paragraph 5.7 of the National Park Authority's Scheme of Delegation because the development has been the subject of a significant level of valid objection.

**2. Recommendation**

- 2.1. That Members:

**APPROVE** the application subject to the conditions set out in **Appendix 1** of the report.

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### 3. Background

#### Site Description

- 3.1. The application site is located at the southern end of the village of Carrick Castle. The village is accessed via the C6 road and the B839 which runs south from the A83 and which also provides access to the neighbouring village of Lochgoilhead. These roads are mostly single track with passing places.

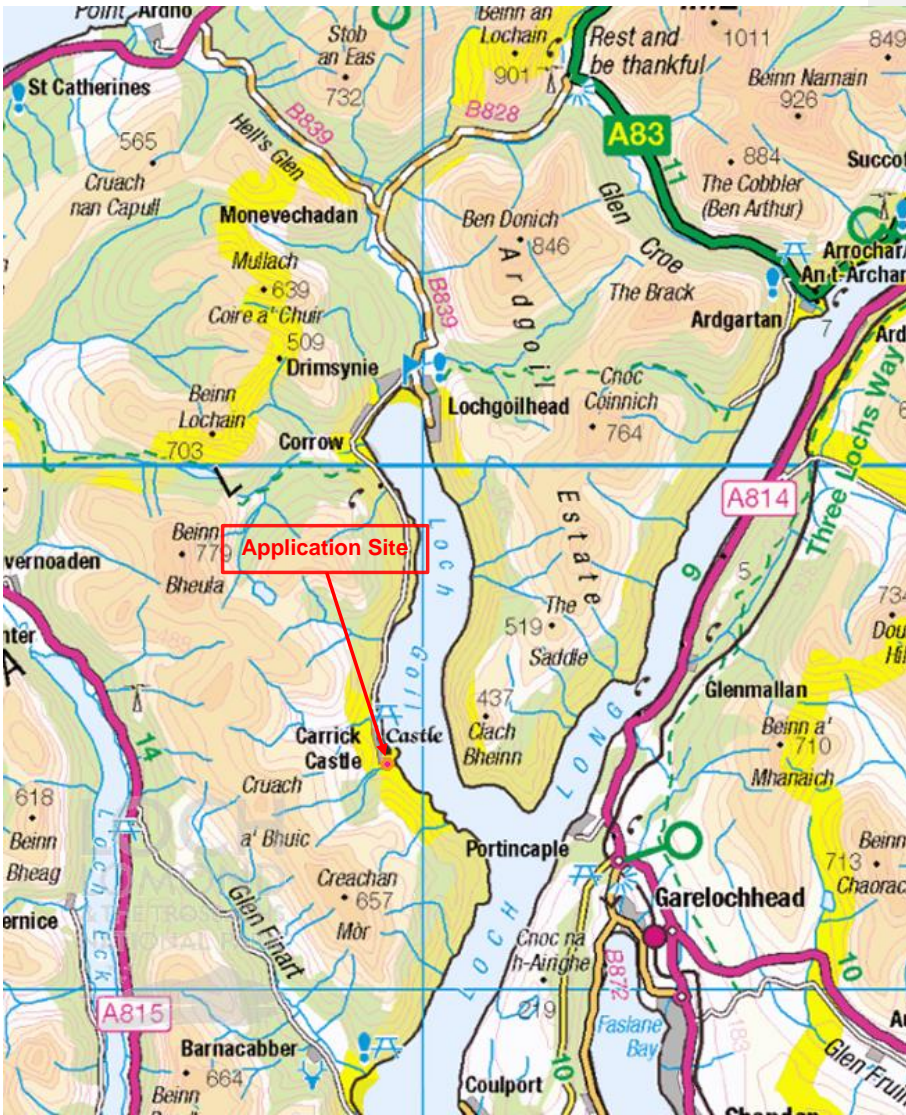
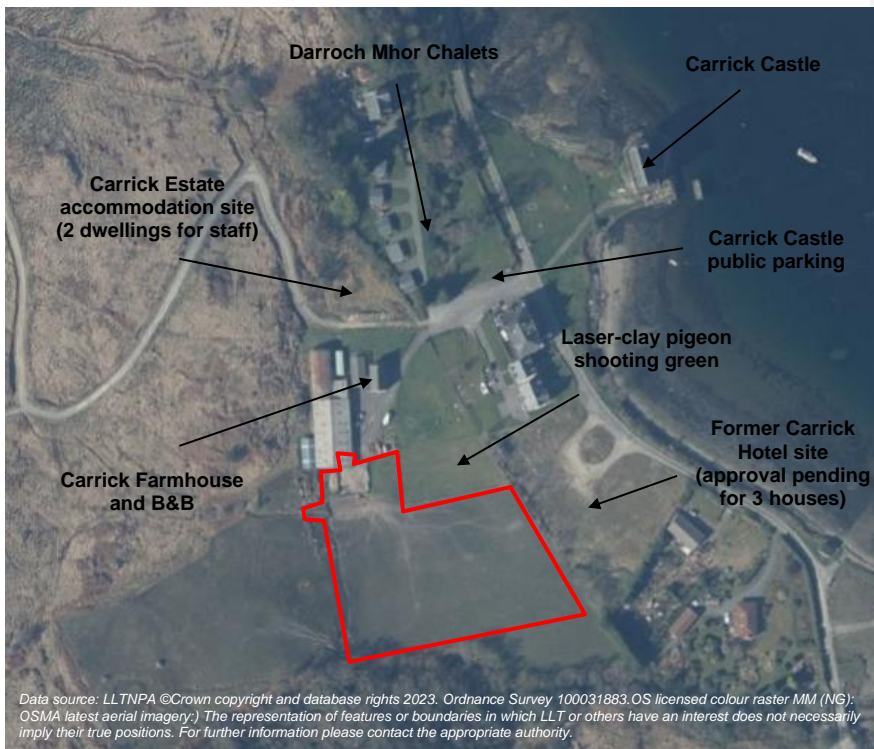
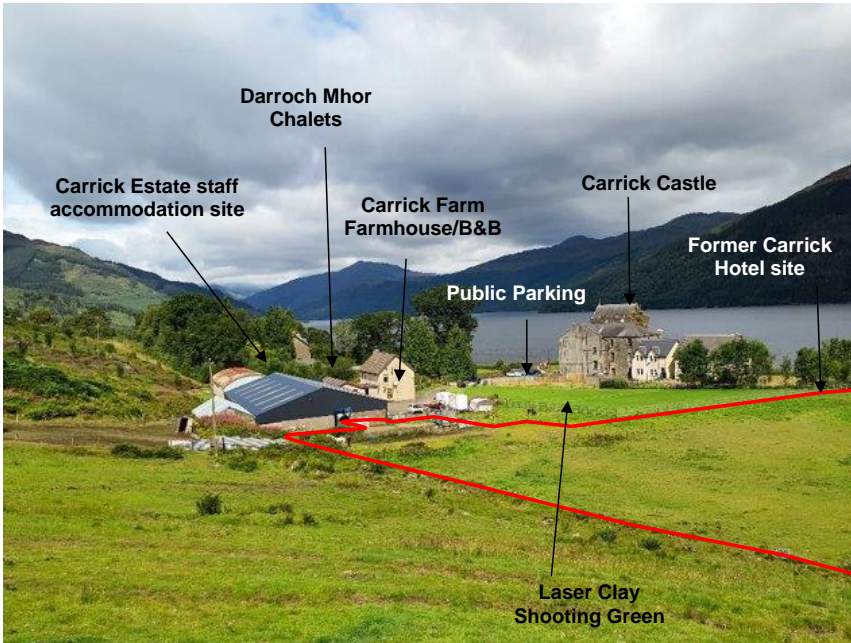


Figure 1: Map showing the location of the application site at 1:100,000 scale.

- 3.2. The application site forms part of the property known as Carrick Farm, a smallholding which comprises a large barn, a farmhouse (where the applicant resides) and adjoining fields to the west and south. The farmhouse is run as a B&B and the farm business offers leisure activities including paddleboarding, kayaking and canoe hire and laser-clay pigeon shooting.
- 3.3. The site proposed for development is accessed by a field gate on its northern side via the farm steading which in turn is accessed via a private track from the C6 public road. This track also provides access to the rear of properties fronting the loch, to Darroch Mhor Chalets situated on the north side and Carrick Estate's proposed staff accommodation (2 dwellings) and the hill tracks beyond to the west. A row of public car parking spaces for visitors to Carrick Castle (a scheduled monument) is located on the northern side of the track just off the public road.



**Figure 2:** Annotated aerial image of the application site (outlined in red) and surroundings.



**Figure 3:** Photo looking northeast across Carrick Farm showing the application site (outlined in red) and surroundings.

Commented [SM1]: annotations need adjusted

- 3.4. The site comprises a field used to graze horses. It is broadly rectangular and roughly flat and approximately 0.6ha in area. The western extent of the site is marked by a rapid change in topography with the land becoming more rugged and rising steeply westwards. To the south the field is bound by a deeply incised channel with a flowing burn which runs west-east into to Loch Goil.
- 3.5. To the east, the field is bounded by a mature hedge interspersed with trees which forms the western boundary of the vacant site of the former Carrick Hotel (which has a 'minded to approve' permission for three residential dwellings - pending completion a legal agreement). To the north, the field is bound by a stone wall with field gate and an area of grass belonging to the applicant, which is used from time to time as a laser-clay pigeon shooting range.



*Figure 4: Photo from the centre of the application site looking towards the western boundary which is marked by the change in topography. The southern boundary and fence line is visible to the left of the picture.*



*Figure 5: Photo from the fence line on the northern boundary of the application site southeast looking across the application towards the eastern site boundary. Between the treeline and the loch behind is the former Carrick Hotel site that has permission pending for development of 3 no. houses.*



*Figure 6: Extract of Google Streetmap View looking towards the site from the loch across the former Carrick Hotel site (permission pending for development of 3 no. houses). The application site is the area of lower ground that is partly concealed behind the line of hedge and trees. The barn and farmhouse are visible in the backdrop (centre-right).*





*Figure 7: Photo taken standing adjacent to southern site boundary (right of picture) looking east. Beyond the fence line there is an incised gully with a running burn which flows east towards Loch Goil (seen in the distance).*

As well as the field, the application site also includes part of the existing steading hardstanding and one corner of the adjacent barn which is presently used for storage and the farm's outdoor leisure equipment.



*Figure 8: Photo of the farm steading looking southwest. The laser-clay pigeon shooting green is on the left and the existing hardstanding and barn are on the right. The application field is the other side of the fence in the far view and the site includes the end section of the barn.*



*Figure 9: Area of the barn (internal) within the application site. Field can be seen beyond the stone wall.*

### Description of Proposal

- 3.6. The proposal is for the change of use of the field and part of the barn to a campsite for 15 tents and 12 campervans. This would include touring caravans, however it is not proposed that the site would accommodate static caravans.
- 3.7. A new 3-metre-wide vehicular gravel track would be created from the existing farmyard hardstanding into the field, providing access to the motorhome pitches. Seven of the pitches would be created on gravel hardstanding on the south side of the track and at the end, and space for a further five pitches would be reserved on a grassed area on the north side of the track. Each would have an electric hook-up point.
- 3.8. The field is intended to accommodate a maximum of 15 tents in random locations at any one time. Car parking associated with the tents would be accommodated on the grass either side of the access track near the field entrance. The track would be widened for this short section to 6m to allow for manoeuvring.

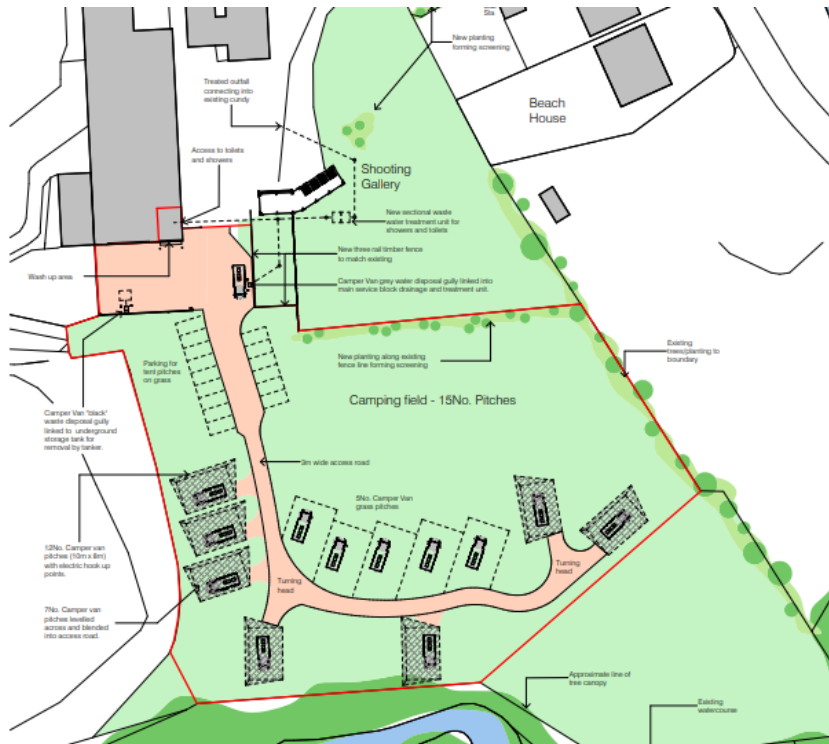


Figure 10: Proposed site layout plan extract (plan ref. 491(CA) - P05 Rev 03)

- 3.9. The southeastern corner of the barn would be converted to provide toilets (x4) and showers (x4). A new door is proposed in the east elevation to access these. An outside washing up area (x 3 sinks) is also proposed on the southern elevation with a timber lean-to shelter with profiled metal roof. No other external modifications are proposed.

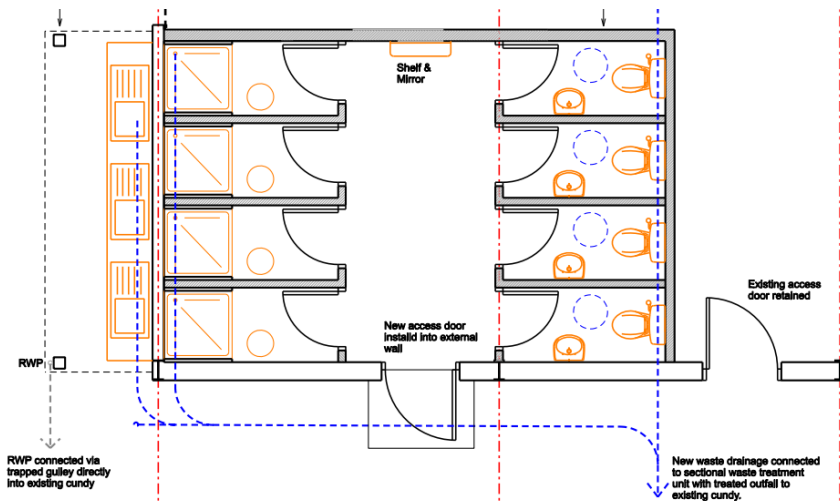


Figure 11: Extract from the proposed floorplan of the corner of the barn showing the location of the proposed facilities. The figure is orientated with the sinks on the south elevation and the new entrance door in the east elevation.

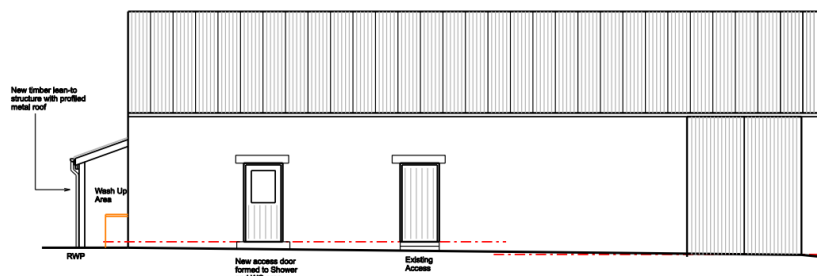


Figure 12: Extract from the proposed east elevation of the barn (part elevation) showing the existing and new door and wash up area with lean-to cover.

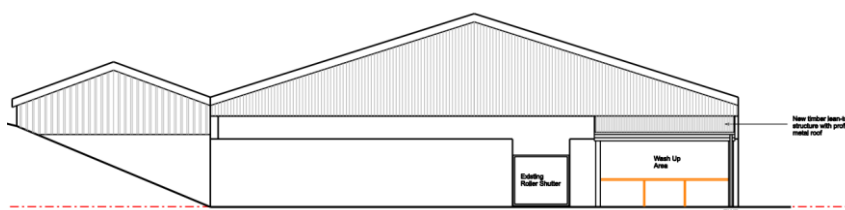


Figure 13: Extract from the south elevation drawing showing the proposed washing up area and lean-to shelter.

3.10. On the east side of the hardstanding there would be a disposal point for campervan grey water. This and the foul drainage from the facilities in the barn would connect with a new septic tank located on the applicant's land, just to the east of the application site, which in turn would discharge (post treatment) to an existing cundy which runs to the loch.

3.11. On the west side of the hardstanding there would be a dedicated disposal point for campervan black/chemical waste that is not suitable for disposal to the septic tank. This would be held on site and periodically emptied by tanker.



Figure 14:: Extract from the Indicative Planting Scheme plan showing areas for proposed planting.

- 3.12. The site would be landscaped with new native hedge planting along the existing fence line separating the camping field from the laser-clay green (Area C on Figure 13 above). The planting would comprise a mix of Hawthorn, Blackthorn, Dog Rose, Guelder Rose, Hazel and Field maple spaced at 5 plants per linear meter.
- 3.13. Wildflower planting (Native British General Purpose Meadow Seed Mix) is proposed within the site either side of the proposed car parking and to the east of the motorhome bays as well as along the western boundary at the foot of the slope.
- 3.14. There would also be two pockets of further planting outwith the application site to the north (Areas A and B on Figure 13) to comprise a mix of Scottish native tree species including Rowan, Silver Birch, Juniper and Holly. Each area is to be planted with 5 no. specimen trees supplemented with existing beech and willow.

### Planning History

3.15. The undernoted planning permissions are of relevance:

- 2019/0283/DET Partial change in the use of existing barn to brewery, cafe, bar and shop (Approved 23 Jan 2020).
- 2020/0142/DET Change of use of land to car park, change of use of agricultural land for use as outdoor seating and activities area, erection of shelter, construction of footpath and partial change of use of agricultural building for use as community, leisure activities and events space (Approved 14 October 2020).

#### **4. Environmental Impact Assessment and Habitat Regulations Assessment**

- 4.1. The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (EIA) (Scotland) Regulations 2017. The National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this case the proposal was screened as it comprises development listed in Schedule 2 under category 12(e) Tourism and Leisure 'Permanent camping and caravan sites'. The screening process concluded that there would not be any likely significant environmental impacts as a result of the development proposed and EIA is not therefore required. The screening opinion can be viewed as part of the planning application file.
- 4.2. The Habitats Regulations require that where an authority concludes that a development proposal is likely to have a significant effect on a European site (Special Protection Area (SPA) or Special Area of Conservation (SAC)) it must undertake an Appropriate Assessment (AA) of its implications for the European site in view of the site's conservation objectives. In this case an AA is not required because the development proposal would not impact on any designated sites.

#### **5. Consultations and Representations**

##### **Responses to Consultations**

##### Argyll & Bute Roads Authority

- 5.1. No objections and no conditions required.

##### Scottish Water

- 5.2. Scottish Water have yet to respond to the consultation request at the time of writing. However, a response to a recent application on the adjacent site confirmed there is sufficient capacity in the Carrick Castle Water Treatment Works to supply water.
- 5.3. The development would be serviced by Carrick Castle Waste Water Treatment Works should the development be required to connect to the public sewer. Scottish Water will be able to confirm capacity following a Pre-Development Enquiry by the applicant. In any event, the applicant is proposing a private sewage treatment system due to the distance to the public network connection point.
- 5.4. Planning Officer's note – SEPA have oversight of the licensing of new septic tanks. SEPA do not require to be consulted on this planning application as it does not meet their threshold criteria.

#### Argyll & Bute Flood Prevention Team

Commented [SM2]: Presume a SEPA consultation was not triggered?

- 5.5. Response of 26 April 2023: Defer decision: It is recommended that a decision be deferred on this application until an updated site plan is submitted relocating all caravan and tent pitches outside of the 1:200 year plus climate change fluvial flood extent as per the SEPA Future Flood Maps or as otherwise determined by a site-specific Flood Risk Assessment.
- 5.6. Response of 16 June 2023: Defer decision: It is recommended that a decision be deferred on this application until a further updated site plan is submitted that shows the two caravans at the southern boundary of the site in 'Site plan as proposed, drawing number 491(CA) – P05 – Revision 02' are repositioned so that they are not surrounded by the 1:200 year plus climate change fluvial flood extent as per the SEPA Future Flood Maps. Alternatively, a site-specific Flood Risk Assessment could be undertaken.
- 5.7. Response of 12 September 2023: No objections: Following the submission of further photographs and measurements of the channel to the south of the site (email dated 10th August from Caroline Strugnell, Loch Lomond and Trossachs National Park planning services to Emma Blades, JBA Consulting) along with photographs and measurements previously submitted by the applicant at this location, it is deemed unlikely the fluvial flooding would encroach on the site directly from the incised channel at the southern boundary. Thus, the site layout as proposed is acceptable.

#### Argyll & Bute Environmental Health

- 5.8. Response of 14 June: No objections subject to conditions and notes in respect of the following being attached to any consent:
1. A caravan site licence is required
  2. Protection of residential amenity during construction
  3. Working hours
  4. Noise during operation
  5. Quality of drinking water supply
  6. Rats, drains and sewers
  7. Surface water and site drainage
  8. Asbestos
- 5.9. Follow up response (27 March): The application appears to be proposing the redevelopment of land and buildings where there is an indication of previous use which may be contaminative. It is recommended that planning permission should be granted with a condition that development is not permitted to start until a phased site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.
- 5.10. EH subsequently clarified by email that an area of the application site is noted to have been a sheep dip. In addition, the building to be partially redeveloped for toilet facilities appears to be clad in corrugated ACM (which may contain asbestos).

#### West of Scotland Archaeological Service (WOSAS)

- 5.11. Although the development appears unlikely to have a substantive direct or indirect impact on Carrick Castle, its topographic position suggests that it may retain some potential to produce sub surface archaeological material relating to significantly earlier phases of occupation. To address the potential for formation of the caravan pitches and

associated infrastructure to encounter and remove sub-surface archaeological material, I would advise that a condition should be attached to any planning consent that the National Park Authority may be minded to grant.

### Representations Received

5.12. A total of 27 representations were received from members of the public: 18 objections and 9 in support. In summary the reasons for objection were as follows:

- Size of development is disproportionately large for the location.
- Further congestion on the C6 for 5 miles including particular issues around Lochgoil Cruisers and the boatshed café).
- Larger motorhomes are a hazard on the narrow approach road and cause damage to verges.
- Additional risk of traffic to walkers/cyclists and users of the public Carrick Castle car park through which campers will have to drive.
- Application promotes vehicle use and not walking/cycling.
- The location encourages drink driving.
- Antisocial behaviour noise and disturbance and litter and air pollution from BBQs
- There are no facilities in Carrick Castle to visitors.
- Disposal of foul waste to the burn which runs past our property - this runs dry in the summer.
- Number of toilets is inadequate.
- No waste facility for campervan chemical toilets
- Increased pressure on waste disposal/public bins which are emptied infrequently.
- Spoiling of tranquillity and private view - private view not material.
- A campsite would not bring any benefit to the village.
- The development would be highly visible.
- Lighting from tents and other sources detrimental to the dark skies.
- Asbestos in the barn building will be a hazard.

5.13. Below is a summary of the reasons for support.:

- There are no managed camping facilities in Carrick Castle and wild camping in motorhomes causes issues for residents which this proposal would help to manage.
- Development of facilities for visitors is supported in Loch Gail's community action plan and the National Park Plan.
- The National Park is desperately in need of locations for campervans and tents.
- A campsite would be particularly useful overnight destination for visiting kayakers.
- The applicant is offering environmental waste management to prevent dumping of campervan waste in the countryside and will help protect the environment.



- A few extra campervans and campers will make virtually no difference to the traffic.
- The applicant will plant new trees and screening.
- The application supports inexpensive low impact accommodation suitable for scouts and Duke of Edinburgh awards kids and kayakers who visit the area.
- The application will encourage and help support visitor leisure facilities in Carrick Castle - an immediate priority of Carrick Trust.
- This application is directly on and would support the long distance 'wild about argyll' Helensburgh to Oban Bikepacking route.

5.14. Lochgoil Community Council submitted a representation neither in support nor objection to the proposal. The covering email confirmed no objection but asked that consideration be given to a concern that was highlighted in their representation (dated 17 April 2023) submitted in objection to a different planning application by the same applicant (ref. 2022/0371/DET for 'Creation of a new dedicated launch area alongside an existing slipway, with associated car parking and equipment storage' Land adjacent Shore Road, Carrick Castle). That application was subsequently withdrawn. The Community Council asked that the traffic and transport concerns raised in point 2 of that representation be considered in the assessment of this application. Point 2 reads:

5.15. *"Public Safety and Transport: The road from Lochgoilhead to Carrick Castle is a 6mile single track road with passing spaces. Those passing spaces that exist are generally sized for smaller cars and have no signage. The problem is currently so extreme that public buses coordinate a staged and timed passing time at the only passing space big enough for a bus. Large vehicle passing is already a major issue only solved by close coordination. Major concerns are raised at the capacity of the road to cope, especially with the recent notable increase in traffic to the village. There is concern that ad hoc travel could conflict with public services, buses, fire engines, ambulances, coast guard. Currently the road is often blocked /congested around the ' Boat shed' Cafe area. The café already uses a traffic marshal to attempt to prevent road obstruction from visiting traffic. It is a matter of great concern that a Traffic assessment has not been done to demonstrate the impact of this application. Quite simply two inexperienced camper van drivers approaching each other would easily get into difficulty and easily block the road. There is often no space for walkers to get out of the way of current traffic, let alone large camper vans."*

5.16. Copies of all representations received are available to view on the public portal at <https://eplanning.lochlomond-trossachs.org/OnlinePlanning> by typing in the reference number 2023/0003/DET and selecting the 'Documents' tab.

## 6. Policy Context

### The Development Plan

6.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan comprises National Planning Framework 4 (NPF4) and the Loch Lomond & The Trossachs National Park Local Development Plan (LDP) (adopted 2017) along with Supplementary Guidance (SG).

#### National Planning Framework 4 (NPF4) (Feb 2023)

6.2. NPF4 is the fourth National Planning Framework for Scotland. It sets out the Scottish Governments priorities and policies for the planning system up to 2045 and how the approach to planning and development will help to achieve a net zero, sustainable Scotland by 2045. NPF4 supports the achievement of six overarching spatial principles (just transition, conserving and recycling assets, local living, compact urban growth, rebalanced development, and rural revitalisation) through the planning and delivery of sustainable, liveable and productive places. NPF4 contains 33 policies to guide development management decisions. The following NPF4 policies are relevant to this proposal:

- Policy 1 - Tackling the climate and nature crises
- Policy 3 – Biodiversity
- Policy 22 - Flood risk and water management
- Policy 26 – Business and industry
- Policy 29 – Rural development
- Policy 30 – Tourism

6.3. The full policy wording can be viewed on the Scottish Government's website at <https://www.gov.scot/publications/national-planning-framework-4/pages/3/>

#### Local Development Plan (2017-2022) (LDP)

6.4. The LDP outlines the vision for how the National Park should change over the next 20 years, including the strategy for development and the policy approach for key topics. There remains broad alignment between the LDP and NPF4 policies however, where any incompatibility does arise, then NPF4 prevails as the more recent policy. The following LDP policies are relevant to this proposal:

- Overarching Policy 1 (OP1) – Strategic Principles
- Overarching Policy 2 (OP2) – Development Requirements
- Visitor Experience Policy 1 (VEP1) – Location and Scale of New Development
- Natural Environment Policy 1 (NEP1) - National Park Landscapes and Visual Impact
- Natural Environment Policy 6 (NEP6): Enhancing Biodiversity
- Natural Environment Policy 11 (NEP11): Protecting the Water Environment
- Natural Environment Policy 12 (NEP12) - Surface Water and Wastewater Management
- Transport Policy 2 (TP2): Promoting sustainable Travel and Improved active Travel Options
- Transport Policy 3 (TP3): Impact Assessment and Design Standards of New Development
- Waste Management Policy 1 (WMP1): Waste Management Requirement for New Developments

6.5. The full LDP policy wording along with the Supplementary and Planning Guidance listed below can be viewed on the National Park's website at: <http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/>

#### Supplementary Guidance

6.6. The adopted Supplementary Guidance provides support to the policies of the LDP and carries the same weight in the determination of applications. The Supplementary Guidance of relevance to this application comprises:

- Design and Placemaking

#### **Material Considerations**

##### National Park Partnership Plan (2018-2023)

6.7. The National Park Partnership Plan (“Partnership Plan”) is the overarching vision to guide how all those with a role in looking after the National Park will work together to widen the environmental, social and economic benefits of the National Park. All planning decisions require to be guided by the outcomes and priorities of the Partnership Plan to ensure that they are consistent with the Park’s statutory aims.

6.8. Public Consultation on a draft National Park Partnership Plan (2024-2029) was undertaken from 26th April – 19th July 2023. The final draft will be presented to the National Park Authority Board in December for approval before being submitted to the Scottish Ministers.

##### Planning Guidance

6.9. Planning Guidance does not form part of the Development Plan, but it supports the LDP and is a material consideration in decision making. The following Planning Guidance is of relevance to the determination of this application:

- Visitor Experience (Revised 2022)

##### Camping Development Framework (2019-2023)

6.10. The Camping Development Framework 2019-2023 builds on the Camping Development Strategy 2016, expanding the focus to the whole National Park. The Framework is guided by the outcomes of the National Park Partnership Plan 2018-2023. The vision set out in the Framework is that: *‘Loch Lomond & The Trossachs National Park is an area that offers a wide variety of sustainable, high quality camping experiences for people from a wide range of backgrounds.’*

##### Local Place Plans and Action Plans

- Lochgoil Community Action Plan 2018-2023 (CAP) – a community plan that provides a strategic vision and sets out the priorities for the development of the communities of Lochgoil for the next five years.
- The Lochgoil Local Place Plan is in its infancy with a ‘launch event’ having been undertaken in September 2023. No draft plan has yet been published.

##### National Park Aims

6.11. 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:

- 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; and

- to promote sustainable economic and social development of the area's communities.

6.12. 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.

## 7. Summary of Supporting Information

7.1. The applicant has submitted the following documentation in support of the planning application:

- Design and Access Statement – Statement by the applicant's agent describing the proposal and explaining the existing business offer and the need for the establishment of camping facilities in Carrick Castle.

## 8. Planning Assessment

8.1. The planning matters requiring assessment in this case are:

- Principle of Development
- Traffic
- Residential and Environmental Amenity
- Natural Heritage
- Other Matters

### Principle of Development

8.2. The principle of a new camping and motorhome site requires to be assessed under the Visitor Experience policies of the Local Development Plan and the Tourism, Rural Development and Business policies of NPF4.

8.3. Visitor Experience Policy 1 of the Local Development Plan states "*New or improved/expanded/altered visitor facilities, accommodation and visitor infrastructure (including recreation and access proposals) will be supported where the proposal:- (a) Forms an identified strategic tourism opportunity in Callander, Balloch, Tyndrum, Drymen, Arrochar and Tarbet, as shown in the Development Strategy Map (page 17), or forms new strategic tourism opportunity in the Aberfoyle or Blairmore/Strone/Kilmun areas; or is located in, or within a safe walking distance from a town or village*" [officer emphasis]. The application site is located adjacent to and a short and safe walking distance (c. 80m) of the Carrick Castle village boundary. The location of the development is therefore acceptable in principle under Visitor Experience Policy 1(a).

8.4. As the development would be sited in a rural location, just outside of the village limits, Policy 29 of NPF4 (Rural Development) is also relevant. This states "*a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including: [...] ii. diversification of existing businesses [...]*". The proposal represents the diversification of an existing rural farm business that offers complimentary leisure and recreation activities both on and off site and which has ambitions to diversify the tourism offer in Carrick Castle. The development would support the viability of the existing business and its seasonal

employment. The development would therefore contribute to the viability, sustainability and diversity of the rural community in accordance with this policy.

- 8.5. The submitted Design and Access Statement further highlights that the development proposed would support some of the aims of the Lochgoil Community Action Plan (CAP), including to *'encourage and support more outdoor leisure businesses'*, *'promote development of new accommodation, particularly hostels and camping for walkers and mobile home pitches'* and *'provide facilities on land such as showers, drying facilities, etc. which will encourage sailors to come ashore'*. The proposal aligns with these aims.
- 8.6. Further, the National Park's Camping Development Framework (2019-2023) notes that the two of the most popular forms of overnighting outdoors in the National Park are camping by tent and the use of motorhomes. It states that these types of camping are the most accessible to a wide range of visitors. The Framework seeks to increase provision of dedicated facilities and promotes overnight motorhome/caravan spaces in the National Park, increased provision of waste disposal and water points for motorhomes and campervans/caravans as well as to reduce the volume of litter related to informal camping, to reduce the volume of inappropriate toileting related to informal camping and increase private and/or community-owned sustainable campsite provision. The Design and Access Statement provided by the applicant and representations received note some of the adverse issues that have been experienced because of informal camping in Carrick Castle. Representations in support of the proposal also point to the current lack of and need for formal camping facilities in the village. The proposal would provide a managed facility for motorhome users as well as a chemical waste disposal point for both site users and passing tourists. It would therefore directly support the objectives of the Camping Development Framework.
- 8.7. General support is given to small business developments under NPF4 Policy 26 which states *"(b) Development proposals for home working, live-work units and micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses."* The appropriateness of the nature and proposed scale of development is assessed in the following subsections by reference to its impacts and compliance with other relevant policies.
- 8.8. Finally, NPF4 Policy 30 (b) – Tourism – requires tourism developments to take into account *"i. The contribution made to the local economy; ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors; iii. Impacts on communities, for example by hindering the provision of homes and services for local people; iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas; v. Accessibility for disabled people; vi. Measures taken to minimise carbon emissions; vii. Opportunities to provide access to the natural environment."* Consideration of compliance with these aspects is covered within the discussion below.

#### Traffic

- 8.9. Carrick Castle is accessed by a 5-mile stretch of single-track road with passing places (the B839 from the A83 to Lochgoilhead and then the C6 road to Carrick Castle where the road ends). There is a local bus serving the bus stop in Carrick Castle at the application site entrance twice a day. The site is also directly on a long-distance Core Path and so some campers using small tents may arrive by bike or on foot. However, given the rural location and the nature of the use, it is inevitable that journeys to the site

would be mostly made by motorhomes and private cars (with or without touring caravans in tow).

8.10. The Community Council and several representations have drawn attention to local traffic issues and raise concerns that the proposal will exacerbate existing problems. The main issue highlighted is the inadequacy of passing places on the approach roads which results in frequent obstructions when larger vehicles try to pass one another resulting in delays and damage to verges. It is apparent that the source of much concern is outwith Carrick Castle, particularly at the Boathouse Café and Lochgoil cruisers (sited some 5.4km north of Carrick Castle) where there are parking capacity issues at peak times. Road safety of pedestrians, cyclists and walkers who must make way for larger vehicles to pass on the narrow roads is also highlighted.

8.11. The proposal is not considered to be a significant traffic generator. The focus of community concern is generation of additional larger vehicle traffic. In this regard, the site would accommodate up to 12 motorhomes/touring caravans at any one time. At maximum occupancy, and assuming all the pitches were occupied by a larger sized vehicle, and that could generate up to 12 two-way larger vehicle trips each day (assuming each vehicle made an out and back journey per day). Assuming all 12 larger vehicles left or returned within a two-hour window morning and evening, this would be equivalent to 6 journeys per hour (or one journey every 10 minutes) during each of those 2-hour periods. There will also be some additional car-based camping trips.

Commented [SM3]: what about car based camping trips?

8.12. However, the frequency of larger vehicle journeys is likely to be less than this because:

- The campsite would not always be at full occupancy and the use would also be seasonal.
- Carrick Castle provides good access to local walking routes.
- The Carrick Farm business already offers on site and local leisure activities (and has planning permission for an onsite café and shop).
- Touring caravans tend to be stationed for longer periods with local journeys and daytrips made by other means and it is likely that at least some of the motorhome users would also remain on site for longer periods.

8.13. Notwithstanding the traffic concerns raised, it is judged that the number of trips and likely frequency of larger vehicle movements generated by this proposal as described above, would not be so significant as to have a material impact or greatly exacerbate existing issues. Refusal of this application on traffic impact grounds could not therefore be justified. This conclusion is supported by the fact that Argyll and Bute Council as Roads Authority has not objected to the development, nor sought a transport statement or assessment in support of the proposal. Neither have they raised any concerns on road safety grounds.

8.14. The approach roads are not subject to any restrictions for use by touring caravans, and it is apparent that motorhomes are already accessing Carrick Castle and camping informally (with some evident adverse environmental and amenity issues). Additional parking provision has been given planning permission at the Boatshed Café and work on construction of this has commenced and should alleviate some of these particular concerns in due course. It is acknowledged that there would be a slight increase in larger vehicle traffic and perhaps some associated inconvenience for other road users at summer peak times. However, this must be balanced with the wider aims and aspirations of the local community, specifically for more camping and leisure facilities as identified within the CAP and the need for such developments to support the sustainability and viability of rural businesses and the rural economy both here and in the national park more widely.

### Residential and Environmental Amenity

- 8.15. NPF4 Policy 26 and Overarching Policy 2 of the Local Development Plan require developments to be compatible with surrounding land uses and avoid any significant adverse impacts of; noise/vibration, air emissions/ odour/fumes/dust, light pollution, loss of privacy/sunlight/daylight.
- 8.16. The camping field boundary is sited approximately 35m from the nearest residential dwelling and separated by boundary fences and intervening vegetation. Residential development on the adjacent site to the east (as yet unbuilt) would be around 30m distant from the field edge and again separated by an intervening mature hedge and trees. It is concluded that here would be no impact on the privacy of adjacent dwellings.
- 8.17. Representations in objection highlight the potential for noise and disturbance from campers, antisocial behaviour, light pollution, littering and air pollution from fire pits and BBQs.
- 8.18. In view of the small scale of development proposed (15 tent pitches maximum at any one time) and the distance to the nearest dwellings being more than 30m, it is not considered that the development would give rise to unacceptable levels of noise or disturbance. Environmental Health (Argyll and Bute Council) have not required any assessment of noise but have requested a condition that there be no noise audible at the site boundary after 23:00 hours. The requested condition lacks sufficient precision to be enforceable as a planning condition, however this matter would be regulated by the terms of the required Caravan Site Licence (it is a condition that the licence holder take all reasonable steps to prevent disorderly conduct on the site and to prevent noise or other nuisance likely to disturb the neighbourhood). The applicant will be resident on site during the late hours and will be on hand to supervise and manage the behaviour of guests and to deal with any noise nuisance, if it were to arise.
- 8.19. There is no external lighting proposed. A planning condition is proposed to ensure that any external lighting that may be required for health and safety reasons has the further approval of the planning authority prior to installation. This will ensure that any effects of lighting on nearby residents or the dark skies will be minimised. Headlights from moving vehicles would be sufficiently distant from neighbouring dwellings and shielded by intervening fences or vegetation.
- 8.20. Environmental Health has raised no concerns regarding air quality.
- 8.21. Waste Management Policy 1 of the LDP requires development proposals to include *"suitable on-site provision for waste management for the collection and storage of recyclable materials and/or composting facilities"*. No details as to where and how refuse waste will be stored have been provided, however there is ample room for a waste collection area to be provided on the site. Further details of the management of waste and recyclables can be secured by planning condition. On site provision for waste means there would be no additional pressure placed on public waste bins.
- 8.22. Construction impacts can be managed via planning condition. The standard condition requested by Environmental Health also seeks implementation of measures to minimise dust, noise, vibration and run-off water from the site. However, these generic measures are appropriate for large scale construction sites near neighbouring dwellings and are not proportionate for the proposed development. The construction of the gravel track at some 70-75 metres distance from the nearest properties is unlikely to give rise to impacts requiring such mitigation. The standard planning condition on working hours is

considered sufficient to manage the impacts of the development. Run-off water is discussed under drainage (below).

### Natural Heritage

- 8.23. NPF4 Policy 3(c) states *“Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.* Natural Environment Policy 6 requires developments to enhance biodiversity by securing the protection, management and enhancement of natural landscape, wildlife, wildlife habitat, habitat networks and green corridors, and where possible the creation of new wildlife habitats.
- 8.24. The proposed development would not result in any loss of natural habitats or protected species. The grazing field has limited habitat value. The proposal includes measures to enhance biodiversity including retaining all boundary hedges and trees and the planting of a new native hedge along with two pockets of native trees outwith the site. New wildflower planting within the site along with an appropriate mowing regime will add further biodiversity value. These measures are proportionate to the scale and nature of the proposal and are acceptable. A condition is recommended to secure implementation.

### Flood Risk and Drainage

- 8.25. NPF4 Policy 22 states *“c) Development proposals will: i. not increase the risk of surface water flooding to others, or itself be at risk. ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; and iii. seek to minimise the area of impermeable surface.”*
- 8.26. A watercourse that discharges into Loch Goil runs along the southern site boundary. The southern boundary and the north-western corner of the site is overlain by the indicative limits of a 1:200- year plus climate change fluvial flood as per the SEPA Future Flood Maps. The flood maps indicate that during this large flood event, a flow path would form about 100 m upstream of the site, and flow overland in a north westerly direction through the north-western corner of the site and past the buildings at Carrick Farm before flowing to the coast at Carrick Castle. In addition, the left bank of the watercourse, along the southern boundary of the site, is overlain by the indicative flood extent.
- 8.27. The proposed site layout has been principally driven by the requirement for motorhome pitches to avoid the overland fluvial flow paths. The vagaries of the flood mapping have resulted in the seemingly ad-hoc arrangement of the motorhome pitches on the southern boundary.
- 8.28. Despite initially maintaining an objection to the revised plan (plan 491(CA) - P05 Rev 03) on account of the proximity of two campervan pitches to the southern boundary, the Argyll and Bute Flood Prevention Team later lifted their objection after they agreed that the site-specific characteristics and depth of the incised gulley (some 6m deep at that location) meant the southern boundary would not flood. Indeed, this was later verified by the recent heavy rainfall events of the 7/8 October 2023 which did not result in any flooding from the watercourse in either this area or the north of the site. The development would not therefore be at risk of flooding.



- 8.29. The proposed track and motorhome pitches would be constructed of 50mm of gravel on a 200mm sub-base of compacted Type 3 aggregate on geotextile membrane. It would be fully permeable and so does not pose a risk of flooding to surrounding property.
- 8.30. Surface water from the canopy over the washing up stands would be directed into the existing cundy that discharges to the loch. This approach is acceptable noting that SUDS are not required for this as the discharge is to coastal waters.
- 8.31. Management of surface water during construction is regulated by SEPA's General Binding Rules (GBRs). GBR10D is relevant to the discharge of water run-off from a construction site and requires all reasonable steps to be taken to avoid pollution of the water environment. As excavation and imported materials will be required to be laid in proximity to the southern boundary watercourse, a condition is recommended for details of the measures that would be put in place if required to prevent sedimentation and potential pollution of the watercourse from runoff water during construction. This will ensure compliance with Natural Environment Policy 11 which seeks to protect the water environment.
- 8.32. Grey water would be discharged to a new private septic tank. This is in accord with Natural Environment Policy 12 as it is not possible to make a connection to the public sewer infrastructure in this instance. The septic tank would treat sewage before discharging to the cundy. The septic tank specification and its method of discharge would be regulated via SEPA's licensing regime which will ensure that the cundy is suitable to accept the discharge and that no pollution enters the system. The proposal for the stand-alone collection tank for black/chemical waste is also in accord with SEPA's standing advice for campervan and motorhome waste disposal 'A Guide for Independent Developments'.

#### **Other Matters.**

- 8.33. Environmental Health has identified possible sources of contamination at the site (sheep dip and asbestos) which can be addressed by the requested conditions for appropriate site investigations and remediation as necessary.
- 8.34. Environmental Health has also requested confirmation of the water supply. The applicant has confirmed that the development would be serviced by mains water. Scottish Water has confirmed capacity in this location.
- 8.35. A condition is also recommended at the request of WOSAS in accordance with Historic Environment Policy 7 to appropriately safeguard any archaeological artifacts that may be present that would otherwise be disturbed or destroyed by the track and pitch construction.
- 8.36. The proposal has been assessed as a touring caravan site (motorhomes and touring caravans) and not a site for permanent caravans such as static caravans. These are excluded by planning condition. A condition is also recommended to ensure that any caravans using the site can only do so for a maximum of 90 days as is standard for tourism accommodation to prevent permanent occupation of the site.
- 8.37. The applicant has confirmed that there is a fully accessible toilet and shower on site within the barn which addresses the NPF4 Policy 30 requirement for tourism developments to consider the needs of those with disabilities.

## 9. Conclusions

- 9.1. The principle of the proposed campsite is acceptable and in accordance with LDP Visitor Experience Policy 1(a) and NPF4 Policies 26, 29 and 30. All representations have been taken into consideration and the concerns regarding traffic impact are acknowledged. However, given the small scale of the development, and the lack of objection from the road authority, material adverse impacts are considered unlikely. These concerns, and others, must be balanced with the wider aims and aspirations of the local community, specifically for more camping and leisure facilities as identified within the Community Action Plan and the need for such developments to support the sustainability and viability of rural businesses and the rural economy both here and in the National Park more widely.
- 9.2. The development would have no unacceptable adverse impact on traffic or residential amenity. Conditions in respect of land contamination, archaeological works, construction hours, waste management, landscape planting, external lighting and management of surface water during construction are proposed and set out in Appendix 1. These will secure compliance with Overarching Policy 2, Historic Environment Policy 7, Waste Management Policy 1 and Natural Environment Policies 1, 6 and 11 of the Local Development Plan.

## Appendix 1 - Planning Conditions

- 1. Duration of Permission:** 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.

REASON: In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- 2. Restriction on Caravan Numbers and Type:** There shall be no more than 12 no. occupied caravans (motorhomes) sited on the development site at any one time. For the avoidance of doubt, approval is given only for the siting of motorhomes and touring caravans. Static caravans are not permitted.

REASON: For the avoidance of doubt and because new sites for static caravans are not supported by the Design and Placemaking Guidance.

- 3. Restriction on Caravan Occupancy:** The 12 no. motorhome pitches hereby approved shall be used solely for short-term holiday use and not for permanent residential use. The pitches shall not be occupied by any one individual or group for a period exceeding 90 days in any one calendar year. A register of occupant's details (vehicle registration and dates of stay) shall be kept and shall be made available to the National Park Authority on request.

REASON: The proposal has been assessed as a tourism development and the approval of permanent residence(s) would be contrary to Housing Policy 2 of the local development plan and Policy 17 of NPF4.

- 4. Restriction on Tent Numbers:** There shall be no more than 15 tents sited on the development site at any one time.

REASON: The potential amenity impacts have been assessed on the basis of 15 tents and additional tents would require further assessment.

- 5. Working Hours:** No construction activity shall be carried out, and no deliveries received at, or despatched from the site, outwith the hours of 8.00am to 6.00pm Monday to Friday, and 9.00am to 1.00pm on Saturdays, nor at any time on Sundays or a recognised Scottish Bank Holiday. This condition shall not apply to works internal to the proposed buildings which are not audible at the boundary of the site.

REASON: To protect the occupants of nearby dwellings from excessive noise and disturbance associated with construction works

- 6. Management of Surface Water During Construction:** Prior to construction commencing, details of the measures to prevent surface water or sediment from the site entering nearby watercourses during construction shall be submitted to and approved by the planning authority. The measures shall thereafter be implemented and retained for the duration of construction.

REASON: To prevent pollution of the water environment in accordance with Natural Environment Policy 11.

- 7. Archaeology:** No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the

implementation of a programme of archaeological works in accordance with a written scheme of investigation which shall be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASON: To appropriately safeguard archaeological artifacts that may be present in accordance with Historic Environment Policy 7.

- 8. Land Contamination:** Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme shall be submitted by the developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Planning Authority, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination to the satisfaction of the Planning Authority, and must include:

- a. A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with Argyll & Bute Environmental Health prior to addressing parts b, c, and d of this condition.  
  
Should the desk study show the need for further assessment this will be undertaken in the following sequence:
- b. A detailed investigation of the nature and extent of contamination on site, and assessment of the risks such contamination presents.
- c. Development and agreement of a remedial strategy (if required) to treat/remove contamination ensuring the site is made suitable for its proposed use (this shall include a method statement, programme of works, and proposed verification plan).
- d. Submission of a verification report for any agreed remedial actions detailing and evidencing the completion of these works.

Written confirmation from the Planning Authority, that the scheme has been implemented and completed shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Planning Authority.

Reason: To ensure that the potential risks to human health, the water environment, property, and ecological systems arising from any identified land contamination have been adequately addressed.

**9. Landscape Planting:** The site shall not be brought into use until the landscape planting including all trees, shrubs and areas of seed mix as shown on the 'Indicative Planting Scheme Plan' (received 29 September 2023) has been undertaken in full. The landscaping shall thereafter be maintained. Any trees or plants forming part of the planting scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation.

REASON: To secure appropriate landscape planting for reasons of screening to minimise local landscape impacts in accordance with Natural Environment Policy 1 and to deliver overall biodiversity enhancement in accordance with Natural Environment Policy 6 and NPF4 Policy 3.

**10. Provision for Refuse and Recycling:** Prior to the site being brought into operation, details of the proposed location and storage for the collection and disposal of waste and recyclables from the site shall be submitted to and approved in writing and installed on site.

REASON: Waste Management Policy 1 of the Local Development Plan requires new developments to provide facilities for waste management and the collection and storage recyclable materials.

**11. External Lighting:** There shall be no temporary lighting during construction and no external lighting installed at the site without the prior written approval of the planning authority. In the event external lighting is proposed then details of this shall be submitted to and approved in writing by the planning authority prior to installation.

REASON: To protect the amenity of nearby residents and to protect the dark skies in accordance with Overarching Policy 2 and Natural Environment Policy 1.

## Appendix 2 – List of Plans

<b>Title</b>	<b>Reference</b>	<b>Date Received</b>
Site Plan as Proposed	491(CA) - P05 Rev 03	29/11/23
Indicative Planting Scheme	491(CA) - P06	29/11/23
Site Plan as Existing	491(CA) - E05 Rev 01	06/03/23
Location Plan	491(CA) - L02 Rev 02	06/03/23
Barn Detail Plan as Proposed	491(CA) - P07	06/01/23
Barn Elevations as Proposed	491(CA) - P08	06/01/23
Barn Elevations as Existing	491(CA) - E08	06/01/23
Barn Detail Plan as Existing	491(CA) - E07	06/01/23
Barn Plan as Existing	491(CA) - E06	06/01/23

## Appendix 3 – 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 Caravan Site Licence:** The site will require to be licenced under the Caravan Site and Control of Development Act 1960. The site will be classed as a Tourer Site and the Applicant should apply to the Local Authority on completion of the planning process and works. The applicant should have regard to the model standards for touring sites (1989) which form the core of the licence conditions. A copy of the standard can be provided to the applicant on request to Argyll & Bute's Environmental Health offices.

**4 Drinking Water Supply:** If the supply is from a private water system, the applicant should contact Argyll and Bute Council's Private Water team to discuss reassessment for suitability of extension to the caravan/camping site. In any case, the distribution pipework should not have a detrimental effect on water quality.

**5 Asbestos:** Prior to starting work on site the applicant must ensure that appropriate steps have been taken to comply with the requirements of the Control of Asbestos Regulations 2012, namely the duty to check if asbestos is present in any of the existing buildings proposed to be demolished or disturbed in anyway and to remove before commencing work.

**6 Proposed Septic Tank:** This permission assumes that the septic tank and proposed discharge point is acceptable to SEPA. In the event this is not the case then please contact the planning authority to determine whether further permissions are required for an alternative arrangement.