

Decision Notice

Mr Douglas Locke
C/o Cruach House
Carrick Castle
PA24 8AF



APPLICATION NUMBER 2019/0001/DET

Grant of Planning Permission

This decision notice is issued under the Town and Country Planning (Scotland) Act 1997, as amended. It should be read together with the official plans. If any details differ then the decision notice takes priority.

Description of the proposed development:

Construction of 2km of new paths, car park, and installation of interpretation board

Location of the proposed development:

Land At Cormonachan Woods, Lochgoilhead

The decision has been made with the following conditions:

- 1 **Archaeological Investigation:** Prior to the commencement of the development hereby approved a programme of archaeological work in accordance with a written scheme of investigation (WSI) shall be submitted to, and approved in writing by, the Planning Authority in consultation with the West of Scotland Archaeology Service. Thereafter the approved WSI shall be implemented in full.
- 2 **Construction Method Statement:** Prior to commencement of the development hereby approved, the Path Construction and Upgrading Works Method Statement dated 08/07/19 shall be updated, submitted to, and approved in writing by, the Planning Authority. The updated CMS shall detail the following:
 - a) Method of controlling pollution and sediment release to the water environment in line with SEPA's Guidance for Pollution Prevention 5 (GPP 5): Works and maintenance in or near water or such replacement guidance;
 - b) The location of the site compound and the parking area for vehicles of site operatives and visitors and loading and unloading of plant and materials;
 - c) Tree protection measures in line with BS5837 Trees in relation to design, demolition and construction;
 - d) Control of Invasive non-native species in the vicinity of the application site;
 - e) Details of the turf management measures including storage and separation of topsoil and subsoil; and

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N
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- f) Details of the revised distance of the path from the single dead tree identified with bat roost potential at NS 19140 96758.

Thereafter all works shall be carried out in accordance with the agreed Construction Method Statement.

- 3 **Road Opening:** Prior to the commencement of the construction of the car park and road opening hereby approved further details of the road opening will be submitted and approved in writing by the planning authority in consultation with the Local Roads Authority. The details to be submitted shall include the method of preventing surface water running into the road and the size of the culvert below the vehicular access. Thereafter the road opening shall be constructed in accordance with the approved details and Argyll and Bute Council Operational Services drawing SD08004a "Access from a single track road" dated 07/01/19.
- 4 **Signage:** Prior to the path and car park hereby approved coming into use a scheme of signage shall be submitted to, and approved in writing by, the Planning Authority. The scheme shall detail the signage that will be put in place to inform path users of the routes, their distances, difficulty and approximate times as well as directional signage on the paths. Thereafter the approved signage shall be implemented in full.
- 5 **Private Water Supplies:** Prior to the path and car park hereby approved coming into use a statement shall be submitted to, and approved in writing by, the Planning Authority in consultation with the relevant Environmental Health Officer. The statement shall detail the measures that will be taken to protect existing private water supplies from disturbance by visitors. Thereafter the approved measures shall be implemented in full.
- 6 **Compensatory Tree Planting:** Prior to commencement of the development hereby approved, details of compensatory native tree planting within Cormonachan Woodlands including the size, number, species, location, and protection measures shall be submitted to, and agreed in writing by, the Planning Authority. Within the planting season following the completion of the development the agreed compensatory native tree planting shall be undertaken in accordance with the approved scheme. Any trees or plants forming part of the approved compensatory 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.
- 7 **General protected species:** The development hereby approved will be constructed in accordance with the general good practice measures for protected species detailed in paragraphs 4.2.7 and 4.2.8. of the Protected Species Survey (DB Ecology, May 2019). If construction works have not commenced by October 2020 the site must be re-surveyed for protected species prior to works commencing. The results, together with a scheme of 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.
- 8 **Breeding birds:** No vegetation clearance works shall take place between March and August (inclusive) unless a pre-works check for active nests has been carried out immediately prior to the works commencing. Should any active nests be recorded, a suitable buffer must be put in place until the nest is no longer in use.

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Page 2 of 9

The National Park Authority's reasons for imposing these conditions are:

- 1 To safeguard the archaeological value of the site.
- 2 To ensure appropriate measures are in place to prevent pollution or contamination to the water environment; to safeguard the long established plantation habitat and to ensure measures are in place to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) during the construction period.
- 3 To ensure a suitable standard of access provision in the interests of road safety.
- 4 To ensure a suitable standard of access signage in the interests of road safety.
- 5 To protect surface derived Private Water Supplies (PWS) from disturbances that can affect the treatment regime and final water quality so that they may not meet the requirements of the Private Water Supplies (Scotland) Regulations 2006 and they may be harmful to health.
- 6 To compensate for the loss of the trees to be removed from the woodland and to accommodate the development in accordance with the National Park's local development plan Natural Environment Policy 8 in relation to semi-natural woodland.
- 7 To ensure that no offences are committed under protected species legislation.
- 8 To ensure that no offences are committed under the Wildlife and Countryside Act 1981 (as amended) in relation to breeding birds.

Reason for Decision

It is determined that the proposed path and car park is in accordance with Overarching Policy 2 and Visitor Experience Policy 1 of the Local Development Plan. The archaeological remains will be protected by a written scheme of investigation in accordance with Historic Environment Policy 7. A construction method statement and conditions for the protection of species will ensure that the development is carried out according to best practice measures for pollution prevention and tree, species and habitat protection as well as ensuring the protection of private water supplies from disturbance. Furthermore a scheme of replacement planting will enhance the existing native woodland in accordance with Natural Environment Policy 5 and 8 and a condition requiring the road access to be built to an appropriate standard ensures that the proposal provides safe access and parking provision in accordance with Transport Policy 3.

Informatives

It should be noted:

- 1 Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), 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.
- 2 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

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Page 3 of 9

enforcement action being taken.

- 3 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.
- 4 Roads Consent - The applicant is advised that in terms of Sections 21 and 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the appropriate Council as Roads Authority consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 5 Contact should be made with SEPA's local regulatory team regarding any proposals to undertake alterations to or works on the bank or bed of the watercourse as this may constitute an activity which requires to be authorised under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). It should be noted that any and all work affecting the bank or bed of a watercourse must comply with the General Binding Rules of the above legislation. Details of regulatory requirements and good practice advice can be found on SEPA's website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at: <delete as required> Balloch Office, Carrochan, Carrochan Road, Balloch G83 8EG (tel no. 01389 727770); Lochgilphead Office, Kilbrandon House, Manse Brae, Lochgilphead, PA31 8QX (tel no. 01546 602876)
- 6 Visibility Splays - The sightline at the road junction shall be retained with a minimum visibility splay of 75 x 2.4 metres. All walls, fences and hedges within the sightlines will be maintained at a height not exceeding 1 metre above the road.

Plans and Documents

The plans and documents to which this decision relates are listed below:

Title	Reference	Date Received
Path Construction and Upgrading Works Method Statement		08/07/19
Protected Species Survey		08/05/19
Site Plan - Proposed Route sections, viewpoints and bridges		11/04/19
Site Plan - Car Park	01	07/01/19
Section - Car Park	02	07/01/19
Access from a Single Track Road	SD 08/004 Rev a	07/01/19

The plans are available to download on the National Park's Online Planning Portal by following the link below:

<https://eplanning.lochlomond-trossachs.org/OnlinePlanning/applicationDetails.do?activeTab=documents&keyVal=PKTGO9SILB800>

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If you have any problems downloading the plans then please contact the Planning Information Line on 01389 722024 or email planning@lochlomond-trossachs.org.



Director of Rural Development and Planning

Date: 11 July 2019