

Buchanan Community Council

Approved Minutes of meeting held on 30th January 2017

Present: David Morris – Chair
Audrey Peebles (AP) – Secretary
L. Buchanan (LB) – Treasurer
D. Lee (DL)
M. McLeman (MMcL)
L. Holl (LH)
A. Lee (AL)

Apologies: K. Lilburn (KL), S. Macfarlane

In Attendance:

Councillor Ian Muirhead	
Lynne McKinley (LMc)	Stirling Council
Gordon Watson (GW)	CEO LLTNP
Tony Teasdale (TT)	Rural Stirling Housing Association
Matt Bridgestock (MB)	Architect for RSHA
Margaret Vass (MV)	RSHA Chair
Prof Dino Jaroszynski (DJ)	Balmaha Biodiversity Community Action
David Robertson	Forestry Commission
William Nisbet	Park Board

Present: Approx. 50 members of the public.

The **Chair** welcomed everyone and opened the meeting.

Item 2 : Declaration of Interests

D. Lee and A. Lee declared that they were objecting to a planning application as neighbours that was also being objected to by the BCC. The planning application was initiated before they became councillors.

L. Holl declared that she was a member of the Balmaha Biodiversity Community Action group.

A. Peebles declared that she was an objector to a planning application as a neighbour that was also being objected to by the BCC.

Item 3 : Draft Minutes

There was a request to drop the use of the word Chairman and use Chairperson or Chair instead – this was accepted for the future.

The minute was proposed as accurate by **AL** and seconded by **LB** with no amendment.

Item 4 : Matters Arising from Nov 2016 Meeting and Secretary's Report

Kevin Lilburn contacted the Secretary later in November to advise us that he had been appointed to the BCC. Total number of councillors is now 9.

The admin grant is expected imminently.

Police report updated on 25 01 2017 and available on the BCC website. Raymond Murphy has reiterated that "Police Scotland will continue to work with our partners in Loch Lomond and the LLTNP through Operation Ironworks in 2017 to ensure our communities remain a safe place to visit, live and work."

We are still waiting for contact details of the Hall Committee. Due to a full agenda for this meeting the invitation for the Hall Committee to attend this meeting was not issued.

The secretary is currently waiting information from Stirling Council as to whom we should raise our suggestion to have a permanent 20mph speed limit in Milton of Buchanan due to the number of pedestrians having to cross the road in this area. Tom Wallace of DCDT has indicated supported the idea.

Removal of telephone boxes – Objections only were required so no response sent to NPA.

Upcoming meetings – Stuart Mearns advised the BCC after their Nov meeting that he was unable to attend the meeting the NPA had set up for us to discuss planning issues. We have yet to advise the NPA of an alternative date for this meeting.

The Chair has advised Stirling Council of this year's BCC meeting dates.

Item 5 : Treasurers Report

The Treasurer supplied a spreadsheet. Expenditure is as shown for the Communicator, website hosting and data protection fees. Admin grant expected soon and SC has agreed funding for Communicator issues 13 and 14. £100 set aside for secretary expenses but not yet used.

The **Chair** then advised that because of the heavy agenda and the number of guest speakers the meeting would progress immediately to Agenda Item 8: Presentations and all other agenda items would be addressed after these.

Betty Twaddle requested that a letter from Joe Twaddle be discussed. The Chair thanked her and indicated that it would be discussed but not tonight. **DL** accepted the letter and undertook to bring it to the attention of the chair.

Item 8 : Presentations

NEW CAMPING BYELAWS

The **Chair** gave a brief overview of the recent meetings and correspondence with the Park concerning the introduction of the new byelaws.

In August, Gordon Watson indicated that he was inviting the Community Council & the East Loch Lomond Visitor Management Group to a joint public update event on the Camping Byelaws. This event was held on 13th September. The East Loch Lomond Visitor Management Group were not present.

Those present had the opportunity to gain an insight into the Park's thinking on the proposed new Byelaws and some alarm bells started ringing.

Some BCC representatives were present at the last Park full Board meeting when it became apparent that there was an option to retain the existing byelaws.

The proposed Byelaws were discussed at the last BCC meeting in November. There was an unopposed wish expressed to retain the existing Byelaws. Accordingly, I submitted a letter to the Park indicating that we wished to retain the existing Byelaws.

Four representatives of the BCC then met with Charlotte Wallace of the Park to discuss the position.

As discussed in our meeting the National Park Board will take the decision on the revocation of the East Loch Lomond byelaws at their meeting on the 13th March.

The Chair then invited Gordon Watson, CEO of the National Park, to address the meeting, who summarised the sequence of events to date.

- The existing East Loch Lomond camping byelaws have been in use since 2011
- New areas defined and consultations took place from 2014
- Aimed to learn from ELL success and to refine and improve
- ELL to be extended to include Endrick water down to Drymen bridge
- Proposal published in 2015, some objections and support received, no community objections at that time.
- Minister amended by removing October to reduce period and then approved 2016

It is a large undertaking with the setting up of campsites, permit systems, new signage across the defined areas. The Park rangers will have a significant role. The new system is designed to allow more use of the Park by campers and outdoor groups while restraining the behaviour that has caused problems in the past. The revoking of the existing ELL byelaws would allow one set to operate across the managed areas. He concluded by inviting any questions.

Anne Hunter stated, on behalf of Kevin Lilburn, who was not able to attend this evening, that he was involved with the consultation process as chair of the ELLVMG and that he and **Anne Hunter** fully supported the introduction of the new byelaws.

MMcL suggested that as ELL was a well-defined area with one road in and out, it should be easy to police with its existing byelaws. Why can't the two byelaws be run in tandem?

This subject was discussed for some time with various questions from the public and indications of support for the new byelaws.

Responses from **GW** included:

Two byelaws running in tandem was not practical and would create ambiguity and confusion to both users and enforcers. It was not workable from an administrative and legal perspective. The new byelaws improved on and added to the old ones with experience gained in ELL helping the process.

MMcL raised the issue of the new signage. Signs indicating 'Camping Management Area' as opposed to 'No Camping' may encourage a return to unsupervised camping.

GW Signs would direct people to the managed sites and the permit system should help with control. The signage strategy would develop and may include 'No Camping' signs where appropriate. Responsible camping was to be encouraged.

MMcL asked as present byelaws works well, why change?

GW understood the desire not to change something that was working but the fundamental laws are not changed and they are strengthened. There will be teething troubles as in all new ventures but the Park will learn from them.

Concern was expressed from the floor over the removal of October as this was still peak time and about the dilution in restrictions from the old byelaws. One recalled almost daily harassment from fishermen on his property.

Fire lighting was discussed briefly with several members of the public highlighting the issue of fires and the damage to trees.

GW acknowledged this as a problem that the new byelaws would help to address.

Because of the number of people present who wished to express a view and with many of the reservations being addressed by **GW** and with some people having changed their opinion, since the last meeting, the Chair called for a show of hands to gauge the opinion of the community present.

This was counted by Lynne McKinley (SC) and confirmed by the Chair as:

30 people in favour of the introduction of the new byelaws

2 against

4 abstentions

MOTION:

That the Community Council cease all objection to the introduction of the new byelaws, (i.e withdraw the objection to the revocation of the old byelaws.)

Proposed: DL

Seconded: MMcL

Result:	6 FOR	1 AGAINST	0 ABSTENTION	Motion Carried
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ACTION : Chair to write to Park.

It is noted here **KL's** request in a written submission to the chair to record his support *"FOR the revocation and replacement of the existing camping byelaw"*.

BALMAHA BIODIVERSITY COMMUNITY ACTION

The Chair invited **Professor Dino Jaroszynski** to address the meeting on behalf of the BBCA.

He opened in general terms concerning the need to protect the environment and conserve biodiversity. Only 1% of Scotland remains as Ancient Woodland and this site should be saved for the community and future generations.

He asked for support from the community to set up a project on the land known as The Plantation, using the Community Empowerment Act, to retain and manage biodiversity in the Balmaha area. There are 20 species of tree and varied wildlife including otters. The site would be a community asset to enhance tourism, encourage visitors, preserve wildlife habitats and educate children. He referred to a successful project of this nature at Ben Lawyers.

The **Chair** invited questions from the floor.

Joel Milner queried why the group was targeting the land already designated for housing when there were other areas that could benefit from this approach and suggested that both projects could co-exist in Balmaha.

He disputed the description of the land as Ancient Woodland as it had been used for conifer plantation and been allowed to revert.

Various questions were asked from the floor in relation to the above and a discussion took place.

Duke of Montrose raised the question of how the group would be financed and also who would carry out the work that would be required. He also mentioned that he had old maps that marked the land as common land for Balmaha.

Dino Jaroszynski responded that biodiversity was important and new legislation is a great opportunity to become involved. He defended the description of the land as Ancient Woodland and referred to old maps of the area. The group has approx. 70 members of which around 25 were local.

There were suggestions that there would be more support for the project at other locations in the area. It was mentioned that there is already a site on Inchcailloch with similar aims.

The **Chair** closed the discussion and thanked **Professor Jaroszynski**.

AFFORDABLE HOUSING PLANNING APPLICATION

The **Chair** addressed an inaccuracy in the last edition of the Communicator and apologised to Mr Teasdale, Director of Rural Stirling Housing Association for the error.

*Under the heading **Affordable Housing in Plantation**, the following statement was printed - "16 properties - The number RSHA told Buchanan CC on 7th November 2016 that they intended to submit to planning"*

This was incorrect and should not have appeared.

The **Chair** added that a similar correction would be made on the BCC website and in the next issue of the Communicator.

Tony Teasdale briefly tracked the history of the project which was initially conceived in 2003 and explained that previous legislation, planning policies, land availability and finance hindered its progress. From the outset the RSHA worked closely with local groups firstly the Buchanan Community partnership and latterly with the Community Panel, which had been nominated by the Community Council in 2013.

That the project is now able to go ahead is the result of long planning and consultation with other bodies such as the Highland Small Communities Housing Trust, the availability of the land from the Forestry Commission and the ability to cross-subsidise the affordable housing. The Rural Housing Burden will help to ensure that the houses remain affordable even if sold on. An equity stake in the property would be retained and a right of pre-emption to buy will ensure that the price remains below market value.

The availability of government subsidies will further hold down the cost of the houses and innovations such as local businesses part owning properties to rent to workers all help to make the project workable.

The increase in housing to 22 from the 16 planned in 2014 was required to make the project financially viable and to ensure that the homes for sale were affordable to meet community needs.

A public drop in event was well attended in December and expressions of interest have been obtained from over 100 people, with 66 being generated either by local people or those wishing to move into the area which included 36 from the BCC area, 20 from Drymen and the last 10

from slightly farther afield. Each category, Rent, Shared Equity and Self-build plots were heavily oversubscribed but do reflect householder's interest in more than one category.

The Planning application was submitted on 23rd December and includes:

- 10 houses for social rent
- 6 for low cost home ownership
- 4 houses for key worker rental in association with local businesses
- 2 plots for sale privately
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Tony Teasdale also discussed the criteria for allocation and stressed that the priority would be given to people in housing need who live in or have a need to move to the local area for reasons of employment or support.

From the outset RSHA has sought to blend the housing into the local environment and chose the architects with a proven track record in sensitive area. He then introduced **Matt Bridgestock** from John Gilbert Architects.

Matt Bridgestock with the help of photo boards gave a presentation on the design concept of the project. All this information is available on the Park Planning site: eplanning.lochlomond-trossachs.org

- The site is 3.4 hectares and housing will occupy approx. 1.8 hectares
- Consideration given to local character of houses
- House designed to be rural not suburban types, white render, dark roofs, timber
- Focus on using Scottish materials including all timber
- Low energy housing design including high insulation, solar assist, heat recovery systems, rainwater collection etc.
- Courtyard design to enhance the privacy and signal private housing area.
- Private plots would have restrictions to remain in keeping with the rest.

A full ecological survey and report was commissioned and is also available on the planning site. Major trees would be retained and a Woodland Management Strategy would be commissioned.

The **Chair** invited questions from the floor.

AL queried why there was only one family sized three bedroom home for social rent.

Tony Teasdale answered that they seek to satisfy a range of households and the proposed mix of social rented properties reflect the local need. It was noted that the shared equity houses are three bedrooms.

A number of people expressed concern about parking and an increase in village population. A discussion took place around this with key points below:

Visitors cause the parking problems not the locals.

Village used to be bigger. Project should reduce migration of children away from area.

Holiday lets reduced available accommodation.

Matt Bridgestock answered with reference to the design concept. Parking allowance in the project large enough and to include visitors designed to prevent use by non-residents. Increase in residents may improve public transport links and would improve the ratio of resident to visitor accommodation.

Further discussion took place around the site itself, key points below:

More debate about whether it could still be classified as Ancient woodland.

Building on a green field site may set a precedent.

Why not use alternate brownfield sites. Some reasons why this was considered impractical were lack of access road, not for sale and cost of land may well prove prohibitive.

Some other concerns were raised in regard to the otters and other wildlife.

Matt Bridgestock again referred to the ecology report.

LB queried whether the social rent and shared equity houses could be guaranteed to remain as a benefit to local people in perpetuity. To her knowledge, in the majority of RSHA Local Letting Initiatives, the local occupancy was for the first let only, with Tyndrum being the only LLI with an in perpetuity clause.

TT stated that a clause would be added to the LLI for the Balmaha project to ensure that the agreed criteria would not just apply to the first let but would operate on an ongoing basis for all subsequent lets and those living in or needing to live in the local area would have continuing priority. This was because Balmaha was considered a high pressure and sensitive location. The LLI was still to be finalised and further consultation would take place with the community, which would include defining the local priority area - this would normally be the BCC area.

(NB: The above answer was clarified by telephone call by DL 06.02.2017)

The Chair queried the scope of the Rural Housing Burden pre-emption right of "buy back". How robust was this since he recalled something about this type of pre-emption right only applying to the first sale? Anne Hunter contributed that while it was not her area of legal expertise, she thought that this might not apply to housing associations.

TT said that the RSHA is a 'Rural Housing Body', a legal entity, which can set Rural Housing Burdens when selling on land for affordable housing. The housing association had a legal right to buy back the property but in practice it was hoped that a buyer that satisfied the criteria would be found.

Margaret Vass assured the meeting that construction would not begin until all finance was in place to ensure completion. This was in response to a question from the floor raising concern about the possibility of the project being uncompleted.

Because of the number of people present who wished to express a view the Chair asked for a show of hands to gauge the opinion of the audience.

This was counted by Lynne McKinley (SC) and confirmed by the Chair as:
30 people in favour of the Affordable Housing Application
4 against
4 abstentions

Betty Twaddle also brought to the attention of the Chair that she had personally collected a significant number of signatures from local people in favour of the development. It was felt likely that there would be duplication of signatures with those attending the meeting. However it was noted as potentially a further indication of support.

MOTION:

That the community council register support for the planning application for the Affordable Homes Project.

Proposed: AL

Seconded: Chair

Result:

6 FOR

0 AGAINST

1 ABSTENTION

Motion Carried

ACTION : Chair to write to Forestry Commission to rescind the request for pause on sale of land
Secretary to submit supporting comment to Park planning

It is noted here **KL's** request in a written submission to the chair to record his support "*FOR the affordable housing project*"

LB proposed a further motion.

MOTION:

That alternative sites be evaluated for housing allowing the possibility of the affordable housing and biodiversity projects both to proceed. And that if this was not achievable then the housing could revert to the Plantation.

Proposed: LB

Seconded:

As there was no seconder the proposal fell.

Item : 10 Questions from the floor

Sandy Fraser raised the following points on planning.

Why was application 2016/0024/DET still included in the list of current applications?

AP Responded that it was still current, and this was confirmed by **GW**, who said that whilst it had been approved it had not been signed off by the LLTNP Planners.

He also expressed discomfort at the paragraph in the Communicator that offers to present any concerns to Park Planners on behalf of residents without disclosing their details.

The Chair thanked him for bringing it to his attention and agreed that the wording may require revision.

Item 7 : Reports

The **Chair** invited David Robertson from the Forestry Commission to give a brief report.

David Robertson advised that work on the Balmaha Forest will be starting within the next 3 weeks and will continue until the end of March. This news on long awaited works was much appreciated. Sadly it was David's last piece of news for us as he is retiring and will be replaced by Will Huckerby. The Councillors would like to take this opportunity to thank David for his support over the last year.

The **Chair** announced that in view of the time all further business on the agenda would be carried forward to the next meeting which would be on 6th March and after thanking all speakers and members of the public for attending he closed the meeting at 1030 pm.