

SPSO decision report

Case: 201406263, Loch Lomond and The Trossachs National Park Authority
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C complained that when assessing a planning application, the park authority failed to give priority to the primary aim of the park which is to conserve and enhance the natural and cultural heritage of the area. Mr C suggested that this application caused conflict amongst the aims of the park and, as a result, section 9 of the National Parks (Scotland) Act 2011 should be invoked. This requires that the primary aim of the park be given priority where conflict of the other aims exist.

The park authority explained that their planning policies take account of the park's aims. They explained that this development was assessed on its merits, and against the parks policies and local plan, and it was determined that the development could be granted consent and proceed without an unreasonable impact on the area.

We considered the park authority's review of this application and noted that they had demonstrated the relevant policies and procedures against which this development must be assessed. They explained their decision-making process and the reasons for recommending approval to the planning committee. They also provided details of the mitigation required through planning conditions. We found no evidence to suggest that this application was not appropriately considered against relevant planning policies and we found the park authority's view that Section 9 of the Act need not be invoked to be reasonable. For this reason, we did not uphold the complaint.